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FILE NO. 45-91-23

ORDINANCE NO. 201-91

RO #90262

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF ROBERT L. THURMOND AGAINST THE CITY AND COUNTY OF SAN FRANCISCO FOR $35,000.00.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized to settle the action entitled "ROBERT L. THURMOND V. CITY AND COUNTY OF SAN FRANCISCO, et al.," Superior Court No. 915-984, by the payment of $35,000.00.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

KIMBERLY A. REILEY
Chief Trial Deputy

FUNDS AVAILABLE:

EDWARD M. HARRINGTON
Controller

01 001 97 09 42
620245 1450 $35,000.00

APR 24 1991

RECOMMENDED:

RECREATION AND PARK DEPARTMENT

MARY E. BURNS
GENERAL MANAGER

APPROVED:

RECREATION & PARK COMMISSION

SHAUNA ROSE, Secretary

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
May 20, 1991	May 28, 1991
Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Migden Shelley Ward	Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Migden Shelley Ward
Absent: Supervisors Hsieh Kennedy Maher	Absent: Supervisors Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

ACTING Clerk

File No. 45-91-23

JUN 04 1991
Date Approved

Mayor

DOCUMENTS DEPT.

JUN 14 1991

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FILE NO. 45-91-24 ORDINANCE NO. 202-91

ANA MARIA DEL VALLE v CITY AND COUNTY OF SAN FRANCISCO/DPW2140

RO #90264

(SETTLEMENT OF LAWSUIT)

AUTHORIZING SETTLEMENT OF LITIGATION OF ANA MARIA DEL VALLE AGAINST THE CITY AND COUNTY OF SAN FRANCISCO FOR $20,000.

Be it ordained by the People of the City and County of San Francisco:

Section I. THe City Attorney is hereby authorized to settle the action entitled "ANA MARIA DEL VALLE v. CITY AND COUNTY OF SAN FRANCISCO, et al.," Superior Court No.: 918-773, by the payment of $20,000.

APPROVED AS TO FORM
AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

KIMBERLY A. REILEY
Chief Trial Deputy

RECOMMENDED:

for RICHARD J. EVANS
Director, Department of Public Works

FUNDS AVAILABLE:

EDWARD M. HARRINGTON
Controller

01 001 97 09 90
309674 1450 $20,000.00

APR 29 1991

APPROVED:

RUDOLF NOTHENBERG
Chief Administrative Officer

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
May 20, 1991	May 28, 1991
Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Migden Shelley Ward	Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Migden Shelley Ward
Absent: Supervisors Hsieh Kennedy Maher	Absent: Supervisors Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

ACTING CLERK

File No. 45-91-24

JUN 04 1991
Date Approved

Mayor

DOCUMENTS DEPT.
JUN 14 1991
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FILE NO. 45-91-25

ORDINANCE NO. 203-91

RO #90270

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF WILLIAM LUCID, ET AL., v. CITY AND COUNTY OF SAN FRANCISCO, ET AL., for $6,500.

Be it ordained by the People of the City and County of San Francisco:

Section I. The City Attorney is hereby authorized to settle the action entitled "WILLIAM LUCID, et al., v. CITY AND COUNTY OF SAN FRANCISCO, et al.," United States District Court No. C90-~~3206~~ 3240 TEH by the payment of $6,500.

5/13
mlr

APPROVED AS TO FORM
AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

JONATHAN V. HOLTZMAN
Special Assistant
to the City Attorney

RECOMMENDED:

MAGDALENA JACOBSEN
Director
Employee Relations Division

FUNDS AVAILABLE:

EDWARD HARRINGTON
Controller

01 001 97 09 25
323428 1450 $6,500.00

MAY 06 1991

APPROVED:

N/A
Secretary

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
May 20, 1991	May 28, 1991
Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Migden Shelley Ward	Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Migden Shelley Ward
Absent: Supervisors Hsieh Kennedy Maher	Absent: Supervisor Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

ACTING Clerk

File No.
45-91-25

JUN 04 1991
Date Approved

Mayor

DOCUMENTS DEPT.

JUN 14 1991

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File 97-91-30

Ordinance No. 204-91

E R R A T A

File No. 97-91-30, Ordinance No. 204-91, is hereby corrected.

Page 1, line 27, to insert two organizations, approved by a previous ordinance, that were left off in error from the printing of this ordinance as follows:

"Employee Benefit Research Institute"
"Insurance Education Association"

John Taylor
Clerk of the Board
September 9, 1991

FILE NO. _____ ORDINANCE NO. 204-91

AN ORDINANCE AMENDING THE SAN FRANCISCO ADMINISTRATIVE CODE BY AMENDING SECTION 16.6-29 REPRESENTATION OF CITY AND COUNTY IN CERTAIN ORGANIZATIONS - EMPLOYEE'S RETIREMENT SYSTEM.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Chapter 16, San Francisco Administrative Code is hereby amended to read as follows:

Note: Additions or substitutions are indicated by underscore type; deletions are indicated by ~~strike out type~~.

Section 16.6-29 REPRESENTATION OF CITY AND COUNTY IN CERTAIN ORGANIZATIONS - EMPLOYEE'S RETIREMENT SYSTEM.

International Foundation of Employee Benefit Plans, Inc.

The California Self-Insurers Association.

Council of Self-Insured Public Agencies.

Government Finance Officers' Association.

Institute of Charter Financial Analysts.

Western Pension Conference.

Council of Institutional Investors.

California Association of Public Retirement Systems.

National Conference on Public Employee Retirement Systems.

Industrial Claims Association.

Security Analysts of San Francisco.

Society of Actuaries.

Conference of Actuaries in Public Practice.

Pensions West

Employee Benefit Research Institute
Insurance Education Association

ejp
9/9/91

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By: _____
DAN MAGUIRE
Deputy City Attorney
2/05/91

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Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
	§	
May 20, 1991	§	May 28, 1991
	§	
	§	
Ayes: Supervisors Achtenberg Alioto	§	Ayes: Supervisors Achtenberg Alioto
Britt Gonzalez Hallinan Kennedy	§	Britt Gonzalez Hallinan Hsieh
Migden Shelley Ward	§	Kennedy Migden Shelley Ward
	§	
Absent: Supervisors Hsieh Maher	§	Absent: Supervisors Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Mary Ann Bulos
ACTING Clerk

File No.
97-91-30

JUN 0 4 1991
Date Approved

Mayor

5/15/91 - As amended in Committee.

FILE NO. 101-90-37

ORDINANCE NO. 205-91

RO #90142 SA# 71

(GOVERNMENT FUNDING)

5/15/91 jlb APPROPRIATING ~~$36,544~~ $5,400 FOR ~~TRAVEL, TRAINING AND~~ MEMBERSHIP DUES AND RESCINDING

5/15/91 jlb ~~$36,544~~ $5,400 FROM PERMANENT SALARIES, MUNICIPAL COURT FOR FISCAL YEAR 1990-91;

SUBJECT OF PREVIOUS BUDGETARY DENIAL.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1990-91 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
01-001	General Fund		
11-00-00	Municipal Court		
01-0010 (317016)	Permanent Salaries	$ 5,400 ~~$36,544~~	
~~10-1120~~	~~Travel~~		~~$14,019~~
~~10-1130~~	~~Training~~		~~7,160~~
10-1440	Membership Dues		5,400 ~~4,625~~
~~Project 023-01~~	~~Other Court Expenses~~		~~10,740~~
~~10-1130 (317024)~~	~~Training~~		
	Total	$ 5,400 ~~$36,544~~	$ 5,400 ~~$36,544~~

5/15/91 jlb

Section 2. This Ordinance is adopted by a two-thirds vote of all members of the Board of Supervisors pursuant to Section 6.306 of the Charter. These items were previously requested by Budget Estimate and denied by the Board of Supervisors.

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: [signature]
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

[signature]
CONTROLLER

276 APPSPGEN

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
May 20, 1991	§	May 28, 1991
Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Kennedy Migden Shelley Ward	§	Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward
Absent: Supervisors Hsieh Maher	§	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

[signature]
ACTING Clerk

File No. 101-90-37

JUN 04 1991
Date Approved

[signature]
Mayor

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FILE NO. 101-90-96 ORDINANCE NO. 206-91

RO #90254 SA #135

(Government Funding)

APPROPRIATING $160,000 FOR OTHER CURRENT EXPENSES AND PLUMBING SUPPLIES, WATER DEPARTMENT FOR FISCAL YEAR 1990-91.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1990-91 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
32-001	Water Department Operating Fund		
47-00-00	Water Department		
G.L. 490 (024018)	Unappropriated Revenue	$ 160,000	
Project 126-01	Water Conservation Program		
10-1299 (387225)	Other Current Expenses		$ 50,000
11-1343	Plumbing Supplies		110,000
		$ 160,000	$ 160,000

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: _____
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

Edward Harrington
CONTROLLER

957-~~appeals~~/ch1/52

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
May 20, 1991	May 28, 1991
Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Kennedy Maher Migden Shelley Ward	Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Migden Shelley Ward
Absent: Supervisors Hsieh	Absent: Supervisors Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Mary Rose Gulden
ACTING Clerk

File No.
101-90-96

JUN 04 1991
Date Approved

Mayor

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5/15/91 - As amended in Committee.

FILE NO. 101-90-101

ORDINANCE NO. 207-91

RO #90267 SA #178

(GOVERNMENT FUNDING)

APPROPRIATING $22,764 FOR CHILD CARE IN RESIDENTIAL TREATMENT, SOCIAL SERVICES FOR FISCAL YEAR 1990-91; RETROACTIVE TO MAY 1, 1991.

5/15/91 jlb

Be it ordained by the People of the City and County of San Francisco:

5/15/91 jlb

Section 1. Funds are hereby appropriated for Fiscal Year 1990-91, retroactive to May 1, 1991, as follows:

Department And Number	Source of Funds And Purpose of Appropriation	Amount Debit	Amount Credit
01-291	Welfare Assistant & Administration Fund		
63-6324 (041442)	Child Care in Residential Treatment	$22,764	
49-4900 (840041)	Revenue Transfer out to #01-001 General Fund; #99-00-00 General Fund Unallocated		$22,764
01-001	General Fund		
99-9990 (160499)	Revenue Transfer in from #01-291 Welfare Assistance and Administration Fund; 45-00-00 Social Services	$22,764	
45-08-00	Foster Care - Social Services		
15-1560 (647768)	Child Care in Residential Treatment		$22,764

Approved as to Form:
Louise H. Renne, City Attorney

BY: Deputy City Attorney

Funds Available:
Controller

416-MPPSPGEN

Board of Supervisors, San Francisco

Passed for Second Reading
May 20, 1991

Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Kennedy Migden Shelley Ward

Absent: Supervisors Hsieh Maher

Finally Passed
May 28, 1991

Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Migden Shelley Ward

Absent: Supervisors Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

ACTING Clerk

File No. 101-90-101

JUN 04 1991
Date Approved

Mayor

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FILE NO. 103-91-1 ORDINANCE NO. 208-91

AN ORDINANCE FIXING, DESIGNATING, ENUMERATING AND PROVIDING SCHEDULES OF COMPENSATION FOR PERSONS EMPLOYED BY THE CITY AND COUNTY OF SAN FRANCISCO, THE SAN FRANCISCO COMMUNITY COLLEGE DISTRICT, THE SAN FRANCISCO UNIFIED SCHOOL DISTRICT, WHOSE COMPENSATIONS ARE SUBJECT TO THE PROVISIONS OF SECTION 8.403 OF THE CHARTER AND ESTABLISHING BENEFITS, WORKING SCHEDULES, AND CONDITIONS OF EMPLOYMENT AND METHODS OF PAYMENT, EFFECTIVE JULY 1, 1991.

Be it ordained by the People of the City and County of San Francisco:

I. LIST OF BARGAINING UNIT CLASSIFICATIONS AND UNREPRESENTED CLASSIFICATIONS

IA. BARGAINING UNIT 8-D (Staff Nurses and P-103 Per Diem Nurses)

1. Staff Nurses

2320 Registered Nurse
2323 Clinical Nurse Specialist
2330 Anesthetist
2340 Operating Room Nurse
2830 Public Health Nurse
2328 Nurse Practitioner

2. P-103 Per Diem Nurses

I.B. BARGAINING UNIT 11-B (Supervisory Nurses)

2322 Head Nurse
2324 Nursing Supervisor
2326 Nursing Supervisor Psychiatric
2342 Head Nurse, Surgery
2344 Chief of Surgery Nurses
2350 Instructor of Nursing
2352 Assistant Director of Nursing Education
2366 Assistant Director of Nurses, Laguna Honda Hospital
2368 Assistant Director of Nurses, S.F.G.H.
2832 Supervising Public Health Nurse

I.C. UNREPRESENTED CLASSIFICATIONS

2369 Director of Nurses, Laguna Honda Hospital
2370 Director of Nurses, S.F.G.H.
2394 Central Processing & Distribution Supervisor
2833 PHN Administrator
2836 Director, Public Health Nursing

II. SCHEDULES OF COMPENSATION.

II.A. Schedules. Compensation for the respective classifications of employment shall be paid for services under a normal work schedule as defined in Section III hereof. Compensations are gross amounts and are on a biweekly basis unless otherwise specified.

II.B. Maintenance and Charges. Charges and deductions for all maintenance, such as housing, meals, laundry, etc., furnished to and accepted by Registered Nurses shall be made on timerolls and payrolls in accordance with a schedule of maintenance charges fixed and determined in the Annual Salary Ordinance.

II.C. Uniform Allowance. Registered nurses, excluding "as needed" Registered and P-103 Per Diem Nurses, who are required to wear and supply their own uniforms in the course of their duties and are employed on September 1, 1991 shall be paid an annual uniform allowance of $175.00, and, in the case of employees in Staff Nurse classifications listed in section I.A.1 wearing and supplying lab coats, smocks, or scrubs, $100.00, no later than December 1 of each year.

III. WORK SCHEDULES (Not Applicable to P-103 Per Diem Nurses)

III.A. Normal Work Schedules.

III.A.I. Unless otherwise provided in this ordinance, a normal work day is a tour of duty of eight (8) hours completed within not more than nine (9) hours.

Upon request of the appointing officer, the Civil Service Commission may authorize work schedules for registered nurse classifications which are comprised of eight (8) hours within twelve (12) or a forty hour work week in four, five or six consecutive days. Such change in the number of work days shall not alter the basis for, nor entitlement to, receiving the same rights and privileges as provided all five-day, forty-hour-a-week employees.

All classifications of Registered Nurses having a normal work day of eight (8) hours may voluntarily work in flex-time programs authorized by appointing officers and may voluntarily work more than or less than eight (8) hours within twelve (12) hours, provided that the Registered Nurse must work five (5) days a week, eighty (80) hours per payroll period, and must execute a document stating that the Registered Nurse is voluntarily

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participating in a flex-time program and waiving any rights he or she may have on the same subject contained in a memorandum of understanding.

Registered Nurses may voluntarily work ten (10) or twelve (12) hour shifts when authorized by the appointing officer, provided such ten (10) or twelve (12) hour shifts shall not alter the basis for, nor entitlement to, receiving the same rights and privileges as provided all five-day, forty-hour-a-week employees, except, however, that ten (10) and twelve (12) hour shifts employees who actually work on a holiday shall receive full holiday compensation for the regularly-scheduled shift worked on a holiday. Said employees shall be entitled to overtime compensation for work only in excess of eighty (80) hours per payroll period and provided, further, that said employees shall accumulate compensatory time off at the rate of time and one-half (1-1/2) only for time worked in excess of eighty (80) and less than eighty-four (84) hours per payroll period. Nurses in the jails shall continue voluntarily working a schedule based upon ten (10) hour shifts. Nurses in Psychiatric Emergency Services working ten (10) hour shifts as of July 1, 1989 may voluntarily continue working ten (10) hour shifts; provided, however, that all ten (10) hour shift positions may at the option of the Department revert to eight (8) hour shifts upon attrition of current ten (10) hour shift incumbents.

Upon request of the union to any City department, the Board of Supervisors authorizes any department head, board or commission to meet and confer with the union on proposals offered by the union or the department relating to alternate scheduling of working hours for all or part of a department. Such proposals may include but are not limited to core-hour flex-time, full-time work weeks of less than five (5) days or a combination of plans which are mutually agreeable to the union and the department concerned. It is the intent of the Board that the work year shall continue to be two thousand eighty (2080) hours (2088 in leap years) and that overtime shall be earned on a daily and weekly basis provided, however, the union and the affected department may mutually agree on cost equivalent alternative scheduling practices. Any such agreement shall be submitted in ordinance form to the Board of Supervisors for its approval or

rejection.

III.A.2. A normal work week is a tour of duty on each of five consecutive days.

III.A.3. <u>Exceptions:</u>

III.A.3.(A). The 20-20 Education Program

III.A.3.(B). Specially funded training programs approved by the Civil Service Commission.

III.A.3.(C). Educational and training courses - regular permanent civil service employees may, on a voluntary basis with approval of appointing officer, work a forty hour week in six days when required in the interest of furthering the education and training of the employee.

III.A.3.(D). Employees shall receive no compensation when properly notified (2 hour notice) that work applicable to the classification is not available because of inclement weather conditions, shortage of supplies, traffic conditions or other unusual circumstances. Employees who are not properly notified and report to work and are informed no work applicable to the classification is available shall be paid for a minimum of two hours.

Employees who begin their shifts and are subsequently relieved of duty due to the above reasons shall be paid a minimum of four hours, and for hours actually worked beyond four hours, computed to the nearest one-quarter hour.

III.A.3.(E). <u>Special Educational Leave for Health Personnel.</u>

Each full-time and regularly scheduled part-time nurse, excluding P-103 Per Diem Nurses, shall be allowed a maximum of forty (40) hours educational leave with pay per fiscal year or a pro rata share thereof to attend formally organized courses, institutes, work shops or classes which relate to nursing education or classes which relate to professional nursing development and education or are necessary to achieve the particular classification's recertification or relicensure.

It is the intent of the Board of Supervisors that leave

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pursuant to this paragraph shall be granted subject only to the reasonable staffing requirements of the departments and that in granting of such leave, preference shall be given to the employee having the earliest relicensure or recertification date.

III.A.3.(F). Voluntary Reduced Work Period for Public Health Nurses. Employees in classifications 2830 Public Health Nurse and 2832 Supervising Public Nurse may elect to participate for six month periods in a 5% basic biweekly salary reduction plan subject to the approval of the Community Public Health Services, Director of Nursing. Employees who elect this alternate pay plan shall receive 5% less salary on a biweekly basis and, in addition to other vacation, holiday, and sick leave benefits, shall receive 6-1/2 working days off with pay in one period, provided that if the employee is entitled to be paid for less than 40 hours per week for the six month period, he or she shall receive a pro rata portion of the 6-1/2 days.

If the employee resigns during the six month period, an adjustment shall be made in the final pay check for any portion of the 6-1/2 days off with pay received but to which the employee lost entitlement by reason of his or her resignation.

The periods shall be as follows: two six month periods each fiscal year, one commencing on July 1 and one ending on the following December 31 and a second commencing on January 1 and ending the following June 30. Notification of participation must be received by the appointing officer no later than two weeks prior to the commencement of the period. Days off earned pursuant to this section are not subject to accumulation and must be utilized during the period on a scheduled basis mutually agreed to by the employee and the appointing officer.

III.A.3.(G). Voluntary Reduced Work Week. Employees with the approval of the appointing officer may voluntarily elect to work a reduced work week for a specified period of time. Such reduced work week shall not be less than sixteen (16) hours per week. Pay, vacation, holidays and sick pay shall be reduced in accordance with such reduced work week.

III.B. Part-Time Work Schedule. A part-time work schedule is a tour of duty of less than forty hours per week.

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SECTION IV. COMPENSATION FOR VARIOUS WORK SCHEDULES
(Not Applicable to P-103 Per Diem Nurses)

IV.A. Normal Work Schedule. Compensation fixed herein on a per diem basis are for a normal eight hour work day, and on a biweekly basis for a biweekly period of service consisting of normal work schedules.

IV.B. Part-Time Work Schedules. Salaries for part-time services shall be calculated upon the compensation for normal work schedules proportionate to the hours actually worked.

V. ADDITIONAL COMPENSATION

SEC. V.A. Shift Differential. Registered Nurses shall be paid ten (10) percent more than the base rate set forth herein for hours worked in shifts designated by the Department of Public Health to be evening shifts. Registered Nurses shall be paid twenty (20) percent more than the base hourly rate for hours worked in shifts designated by the Department of Public Health to be a night shift, excepting those employees participating in an authorized flex-time program who voluntarily work during hours otherwise designated as an evening or night shift.

V.B. Extended Tour of Duty. (Not Applicable to P-103 Per Diem Nurses). An extended tour of duty shall be a tour of duty of eight hours work completed within eleven consecutive hours but extended over more than nine hours. There shall be only one split in any tour of duty. The employees on an extended tour of duty shall be paid for time actually worked and shall be paid 50 percent above their base rate after the ninth hour. These provisions shall not apply to executive, administrative or professional employees.

V.C. Interpreter-Translator Pay. Registered Nurses who are assigned by their department to a "Designated Bilingual Position" may be granted additional compensation of $17.50 weekly. A "Designated Bilingual Position" is one designated by the Department related to a public service function of a department and requiring translating to and from a foreign language, including sign language as used by the deaf, a minimum of 5 hours weekly.

V.D. Supervisory Differential Adjustment. The Civil Service Commission is hereby authorized to adjust the compensation of a

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supervisory nurse whose schedule of compensation is set herein subject to the following conditions.

V.D.1. The supervisor, as part of the regular responsibilities of his/her class, supervises, directs, is accountable for and is in responsible charge of the work of a subordinate or subordinates.

V.D.2. The organization is a permanent one approved by the appointing officer, chief administrative officer, board or commission, where applicable, and is a matter of record based upon review and investigation by the Civil Service Commission.

V.D.3. The supervisor has completed a probationary period in a civil service class and holds permanent status to a full-time position.

V.D.4. The classifications of both the supervisor and the subordinate are appropriate to the organization and have a normal, logical relationship to each other in terms of their respective duties and levels of responsibility and accountability in the organization.

V.D.5. The compensation schedule of the supervisor is less than 5% or one full step over the compensation schedule, exclusive of extra pay, of the employee supervised. In determining the compensation schedule of a classification being paid a flat rate, the flat rate will be converted to a biweekly rate and the compensation schedule the top step of which is closest to the flat rate so converted shall be deemed to be the compensation schedule of the flat rate classification.

V.D.6. The adjustment of the compensation schedule of the supervisor shall be to the nearest compensation schedule representing, but not exceeding, 5 percent or one full step over the compensation schedule, exclusive of extra pay, of the employee supervised.

If the application of this section adjusts the rate of pay of an employee in excess of his/her immediate supervisor, the pay of such immediate supervisor shall be adjusted to an amount $1.00 biweekly in excess of the base rate of his/her highest paid subordinate, provided that the applicable conditions under paragraph "D" are also met.

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V.D.7. The decision of the Civil Service Commission as to whether the compensation schedule of a supervisory employee shall be adjusted in accordance with this section shall be final.

V.D.8. Compensation adjustments are effective retroactive to the beginning of the current fiscal year or the date in the current fiscal year upon which the employee became eligible for such adjustment under these provisions.

V.D.9. In no event will the Civil Service Commission approve a supervisory salary adjustment in excess of 10% or two full steps over the supervisor's current basic compensation. If, in the following fiscal year a salary inequity continues to exist, the Civil Service Commission may again review the circumstances and may grant an additional salary adjustment not to exceed 10% or two full steps.

V.D.10. It is the responsibility of the appointing officer immediately to notify the Civil Service Commission of any change in the conditions or circumstances that were and are relevant to a request for salary adjustment under this section either acted upon by or pending before the Civil Service Commission.

V.E. Standby Pay. Registered Nurses who are required by the Department to stand by when normally off duty to be constantly available for immediate service shall be paid at fifty (50) percent of their regular straight time rate of pay for the period on standby, and seventy five (75) percent of their regular straight time rate of pay for the period on standby on designated holidays. When such nurses are called upon to report to work during the period of such standby service, they shall be paid at the rate of time-and-one-half (1-1/2) their regular straight time rate of pay for time spent at work on call back; provided, however, that such nurses are guaranteed a minimum credit of three (3) hours work for each occasion on which they are called in, not to exceed the total hours of the standby period.

V.F. Call Back (Rest Between Shifts). Employee in classes 2320 Registered Nurse, 2322 Head Nurse, 2323 Clinical Nurse Specialist, 2324 Nursing Supervisor, 2326 Nursing Supervisor - Psychiatric, 2328 Nurse Practitioner, 2330 Anesthetist, 2340 Operating Room Nurse, 2342 Head Nurse, Surgery, and 2830 Public Health Nurse shall have an unbroken rest period of at least twelve (12) hours between shifts, and of at least fifty-five (55)

ours between shifts when said employee is off on the weekend or two (2) consecutive days off, and of at least thirty-one (31) hours between shifts when said employee is off on a holiday or on a single day off. All hours worked within the above rest periods shall be paid at the rate of time and one-half as determined by the 1988-89 Annual Salary Ordinance.

This provision may be waived on the request of said employee and the approval of the appointing officer or appropriate designated representative. Employees on call back resume their regular work schedule on the day after call back. If his/her regular schedule calls for him/her to come in within eight (8) hours after call back, the employee has the option to not work or work at time and one-half until he/she has twelve (12) consecutive hours rest time.

V.G. Weekends Off for Nurses. Employees in classes 2320 Registered Nurse, 2323 Clinical Nurse Specialist, 2330 Anesthetist, 2340 Operating Room Nurse, and 2830 Public Health Nurse shall receive a minimum of two weekends off each month. If any such employee is required to work three (3) consecutive weekends, he/she shall receive time and one-half on the third and succeeding consecutive weekends. Individual nurses have the option to waive this provision with two weeks notice for a specified period of time with the approval of the appointing officer or appropriate designated representative, notwithstanding the provisions of Section II of this ordinance, in order to guarantee two weekends off each calendar month. There shall be no restrictions on split days off. Notwithstanding any other provisions of this ordinance, employees in these classifications shall not work more than six consecutive days if days off are split, or eight consecutive days off are not split. This provision may be waived upon the written request of the employee with the approval of the appointing officer or the designated representative.

V.H. WEEKEND PREMIUM (Not Applicable to P-103 Per Diem Nurses). Registered Nurses who voluntarily work three of every four weekends shall receive a premium of 10% above their basic hourly wage, including shift and other differentials, for each weekend worked. A weekend schedule is defined as working two separate shifts in the same weekend.

VI. OVERTIME COMPENSATION

VI.A. Appointing officers may require employees to work longer than the normal work day or longer than the normal work week. Any time worked under proper authorization of the appointing officer or his/her designated representative or any hours suffered to be worked by an employee, in excess of the regular or normal work day or week shall be designated as overtime and shall be compensated at one and one-half times the base hourly rate which may include a night differential if applicable, provided that employees working in a flex-time program shall be entitled to overtime compensation as provided herein when required to work more than eight hours in a day or eighty hours per payroll period. Overtime compensation so earned shall be computed subject to all the provisions and conditions set forth herein.

The Civil Service Commission shall determine whether work in excess of eight (8) hours a day performed within a sixteen (16) hour period following the end of the last preceding work period shall constitute overtime or shall be deemed to be work scheduled on the next work day.

No appointing officer shall require an employee not designated by a "z" symbol in the Annual Salary Ordinance to work overtime when it is known by said appointing officer that funds are legally unavailable to pay said employee, provided that an employee may voluntarily work overtime under such conditions in order to earn compensatory time off at the rate of time and one-half, pursuant to the provisions of Section VI.B.

VI.B. Employees occupying executive, administrative, or professional positions designated by a "z" symbol in the Annual Salary Ordinance shall not be paid for overtime worked, but may be granted compensatory time off at the rate of one and one-half times for time worked in excess of normal work schedules.

Non "z" designated employees who are required or suffered to work overtime shall be paid in salary unless the individual employee requests compensatory time off in lieu of paid overtime providing the request is approved by the appointing officer. Compensatory time shall be earned at the rate of time and one-half, request to receive compensatory time shall be made in writing and shall be submitted to the appointing officer or designated representative as soon as possible and in no event

later than the end of the first pay period following the pay period in which the overtime was worked. In lieu compensatory time off shall be taken at a time mutually agreeable to the employee and the appointing officer in the fiscal year earned subject to the following conditions:

1) If the appointing officer and the employee are unable to mutually agree on when time off shall be taken, any accrued time off shall be paid at the end of the fiscal year; or,

2) If the appointing officer and the employee mutually agree, compensatory time off may be taken during the succeeding six (6) month period following the end of the fiscal year in which the compensatory time was earned. However, if the compensatory time cannot be enjoyed by the employee in said subsequent six (6) month period, he/she shall be paid in cash.

VI.C. Recordation of Overtime. All overtime worked which is authorized by the appointing officer shall be recorded on separate timeroll.

VII. HOLIDAYS AND HOLIDAY PAY

VII.A. Except as otherwise provided in Section VII.(B) and except when normal operations require, or in an emergency, employees shall not be required to work on the following days hereby declared to be holidays for such employees:

January 1, the third Monday in January (Martin Luther King, Jr.'s Birthday), the third Monday in February (Washington's Birthday), the last Monday in May, July 4, the first Monday in September (Labor Day), the second Monday in October (Columbus Day), November 11, Thanksgiving Day, The Day After Thanksgiving, December 25, any day declared to be a holiday by proclamation of the Mayor after such day has heretofore been declared a holiday by the Governor of the State of California or the President of the United States, and, three additional floating holidays to be taken on days selected by the employee subject to approval of the appointing officer. Both full-time and part-time temporary employees must complete six (6) months continuous service before receiving the additional days, except in the San Francisco Unified School District and the San Francisco Community College District when a particular day has been determined to be a

floating holiday for all of the employees in the department; provided further that all part-time temporary employees who are not regularly scheduled, but are employed on an as-needed, irregular intermittent or other irregular basis are ineligible for the additional days.

Provided, further, if January 1, July 4, November 11 or December 25 falls on a Sunday, the Monday following is a holiday; except for employees on work schedules other than Monday through Friday.

In the event a legal holiday falls on Saturday, the preceding Friday shall be observed as a holiday, provided, however, that except where the Governor declares that such a preceding Friday shall be a legal holiday, each department head shall make provision for the staffing of public offices under his/her jurisdiction on such preceding Friday so that said public offices may serve the public as provided in Section 7.702 of the Charter. Those employees who work on a Friday which is observed as a holiday in lieu of a holiday falling on Saturday shall be allowed a day off in lieu thereof as scheduled by the appointing officer in the current fiscal year.

The San Francisco Unified School District and San Francisco Community College District may, for its own employees and employees regularly assigned from other departments, substitute for the holidays declared above an equal number of different holidays.

VII.B. Holiday Compensation for Time Worked. Employees required by their respective appointing officers to work on any of the above specified or substitute holidays, excepting Fridays observed as holidays in lieu of holidays falling on Saturday, shall be paid extra compensation of one additional day's pay at time and one-half the usual rate in the amount of twelve (12) hours pay for eight (8) hours worked or a proportionate amount for less than eight (8) hours worked, provided, however, that at the employee's request and with the approval of the appointing officer, an employee may be granted compensatory time off in lieu of paid overtime pursuant to the provisions of Section V.B. herein.

Ten (10) and twelve (12) hour shift employee shall receive full holiday compensation for the regularly-scheduled shift

worked on a holiday.

Executive, administrative and professional employees designated in the Annual Salary Ordinance with the "z" symbol shall not receive extra compensation for holiday work but may be granted time off equivalent to the time worked at the rate of one and one-half times for work on the holiday.

VII.C. Holidays for Employees on Work Schedules Other Than Monday Through Friday. Employees assigned to seven day operation departments or employees working on a five day work week other than Monday through Friday shall be allowed another day off if a holiday falls on one of their regularly scheduled days off. Employees whose holidays are changed because of shift rotations shall be allowed another day off if a legal holiday falls on one of their days off. Employees required to work on a holiday which falls on a Saturday or Sunday shall receive holiday compensation for work on that day. Holiday compensation shall not be paid for work on the Friday preceding a Saturday holiday nor on the Monday following a Sunday holiday.

If the provisions of this section deprive an employee of the same number of holidays that an employee receives who works Monday through Friday, he/she shall be granted additional days off equal to such number of holidays. The designation of such days off shall be by mutual agreement of the employee and the appropriate supervisor with the approval of the appointing officer. Such days off must be taken within the fiscal year. In no event shall the provisions of this section result in such employee receiving more or less holidays than an employee on a Monday through Friday work schedule.

VII.D. Holiday Pay for Employees Laid Off. An employee who is laid off at the close of business the day before a holiday who has worked not less than five previous consecutive work days shall be paid for the holiday.

VII.E. Employees Not Eligible for Holiday Compensation. P-103 Per Diem Nurses, persons employed for holiday work only, or persons employed on a part-time work schedule which is less than twenty (20) hours in a biweekly pay period, or persons employed on an intermittent part-time work schedule (not regularly scheduled) or persons on leave without pay status both immediately preceding and immediately following the legal holiday

shall not receive holiday pay.

VII.F. Part-Time Employees Eligible for Holidays. Part-time employees who regularly work a minimum of twenty (20) hours in a biweekly pay period shall be entitled to holidays as provided in Section VII.B. on a proportionate basis.

Regular full-time employees are entitled to 8/80 or 1/10 time off when a holiday falls in a biweekly pay period, therefore, part-time employees, as defined in the immediately preceding paragraph, shall receive a holiday based upon the ratio of 1/10 of the total hours regularly worked in biweekly pay period. Holiday time off shall be determined by calculating 1/10 of the hours worked by the part-time employee in the biweekly pay period immediately preceding the pay period in which the holiday falls. The computation of holiday time off shall be rounded to the nearest hour.

The proportionate amount of holiday time off shall be taken the same fiscal year in which the holiday falls. Holiday time off shall be taken at a time mutually agreeable to the employee and the appointing officer.

Part-time employees who regularly work a minimum of thirty-two (32) hours in a biweekly pay period and work on a holiday shall be entitled to full holiday pay as provided in Section VII.B.

VII.G. Time Off for Voting. If an employee does not have sufficient time to vote outside of working hours, the employee may request so much time as will allow time to vote, in accordance with the State Election Code.

VII.H. Longevity Leave. Full-time employees in classifications:

2322	Head Nurse
2324	Nursing Supervisor
2326	Nursing Supervisor Psychiatric
2342	Head Nurse, Surgery
2344	Chief of Surgery, Nurses
2350	Instructor of Nursing, Staff Development and Research
2352	Assistant Director of Nursing, Education
2366	Assistant Director of Nurses, Laguna Honda Hospital
2368	Assistant Director of Nurses, San Francisco General Hospital
2832	Supervising Public Health Nurse

shall be granted paid longevity leave days to be taken on days

selected by the employee subject to approval of the appointing officer and not subject to carry over, as follows:

After two years continuous full-time service, one leave day.

After five years continuous full-time, two leave days.

After seven years continuous full-time service, four leave days.

After ten years continuous full-time service, six leave days.

Employees working at .8 FTE or above in classifications:

2320	Registered Nurse
2323	Clinical Nurse Specialist
2330	Anesthetist
2340	Operating Room Nurse
2830	Public Health Nurse
2328	Nurse Practitioner

shall be granted paid longevity leave days to be taken on days selected by the employee subject to approval of the appointing officer and not subject to carryover, as follows:

After two (2) years' continuous permanent service at .8 FTE or above, one (1) leave day.

After five (5) years' continuous permanent service at .8 FTE or above, two (2) leave days.

After seven (7) years' continuous permanent service at .8 FTE or above, four (4) leave days.

After ten (10) years' continuous permanent service at .8 FTE or above, six (6) leave days.

VIII. HEALTH INSURANCE
(Excluding P-103 Per Diem Nurses)

VIII.A. Dependent Health Coverage. Nurse shall be reimbursed for the cost of health insurance plan dependent coverage provided by the Health Service System pursuant to the rules of the System. Reimbursement shall be for that portion of the cost of the health plan less the cost of employee only coverage.

VIII.B. Dental Insurance. For fiscal year 1991-92, the City agrees to maintain the existing and present level of dental benefits (dental care insurance) for registered nurses at no cost to the employee. The City will increase the benefit to include an orthodontia benefit up to One Thousand Dollars ($1000) per eligible insured. In the event the Charter is amended to provide dental insurance to all City employees, this provision shall

become void except to the extent it is necessary to reimburse or pay employee dependent coverage costs pursuant to Section VIII.A above.

The City shall, commencing on January 1, 1990, provide, at no cost to the employees, the Teamsters "AA" dental plan for Supervising Nurses.

IX. CHARGE NURSE

IX.A. Subject to section IX.B, any Staff Nurse or P-103 Per Diem Nurse who is assigned to do work as a charge nurse for four hours or more in a day shall be paid a premium of $1.20 per hour above the base hourly rate of pay for such hours actually assigned. In the event that a Staff Nurse or P-103 Per Diem Nurse is assigned to work concurrently in more than one ward per shift at Laguna Honda Hospital, such nurse will receive a double charge nurse premium.

X. SALARY STEP PLAN AND SALARY ADJUSTMENT.

X.A. Appointments to positions in the City and County service shall be at the entrance rate established for the position except as otherwise provided herein.

X.A.1. Promotive Appointment in Higher Class. An employee or officer who is a permanent appointee following completion of the probationary period or six months of permanent service, and who is appointed to a position in a higher classification, either permanent or temporary, deemed to be promotive by the Civil Service Commission shall have his/her salary adjusted to that step in the promotive class as follows:

(a) If the employee is receiving a salary in his/her present classification equal to or above the entrance step of the promotive class, the employee's salary in the promotive class shall be adjusted to two steps in the compensation schedule over the salary received by the lower class but not above the maximum of the salary range of the promotive classification.

(b) If the employee is receiving a salary in his/her present classification which is less than the entrance step of the salary range of the promotive classification, the employee shall receive a salary step in the promotive class which is closest to an adjustment of 7-1/2% above the salary received in the class from which promoted. The proper step shall be determined by the biweekly compensation schedule and shall not be

above the maximum of the salary range of the promotive class.

(c) If the appointment deemed promotive described in X.A.1. above is a temporary appointment, and the employee, following a period of continuous service at least equal to the prescribed probationary period is subsequently given another appointment either permanent or temporary, deemed promotive from the prior temporary appointment class, the salary step in the subsequent promotive appointment shall be deemed promotive in accordance with Sections X.A.1.(A) and (B).

X.A.2. Limited Tenure to Promotive. A limited tenure appointee who accepts appointment to a promotive position from a regular eligible list shall have his/her salary in the promotive appointment based on the salary in his/her regular civil service next lower rank position from which he/she gained promotive eligibility, except as herein provided.

If the following conditions are met, the salary in the promotive appointment shall be not less than the salary received under limited tenure appointment:

X.A.2.(a). That the employee was serving under permanent limited tenure appointment for at least six months immediately prior to accepting such regular promotive appointment.

X.A.2.(b). That the employee received a salary above the entrance rate of the compensation schedule in the permanent limited tenure appointment.

X.A.2.(c). That if the salary steps in the limited tenure class and the regular promotional class do not match, the employee shall be advanced to the salary step in the compensation schedule nearest that received in the limited tenure appointment.

X.A.2.(d). Further increments in the compensation schedule in the regular promotive class shall be based on the date of permanent appointment to the regular promotional appointment.

X.A.3. Nonpromotive Appointment.

(a) When an employee who is a permanent appointee, occupying a permanent position, following completion of the probationary period or six months of permanent service, accepts a nonpromotive appointment in a classification having a

nonpromotive appointment in a classification having a higher salary schedule, the appointee shall enter the new position at that salary fixed for such class (including seniority increments) in the schedules of compensation which is immediately in excess of the salary which the employee received immediately prior to his/her appointment to such position.

(b) When such employee accepts a nonpromotive appointment in a classification having the same salary schedule, or a lower salary schedule, the appointee shall enter the new position at that salary step which is the same as that received in the prior appointment, or if the salary steps do not match, then the salary step which is immediately in excess of that received in the prior appointment, provided that such salary shall not exceed the maximum of the salary schedule. Further increments shall be based upon the seniority increment anniversary date in the prior appointment.

X.A.4. Appointment Above Entrance Rate. Upon the request of an appointing officer, permanent or exempt appointments may be made at any step in the compensation schedule upon recommendation of the General Manager, Personnel and the approval of the Civil Service Commission under the following conditions:

(a) A former permanent City employee, following resignation with service satisfactory, is being reappointed to a permanent position in his/her former classification;

(b) Loss of compensation would result if appointee accepts position at the normal step;

(c) A severe, easily demonstrated and documented recruiting and retention problem exists, such that all City appointments in the particular class should be above the normal step; and

(d) The Controller certifies that funds are available.

X.A.5. Determination of Pay for Position Formerly Exempt. When a position in the municipal service has been exempt from the Salary Standardization provisions of the Charter and becomes subject thereto, or when a position becomes subject to the Salary Standardization provisions of the Charter through acquisition of

a public utility, the salary of the employee holding such position shall be calculated by including credit for continuous paid or nonpaid service in the position immediately prior to its becoming subject to salary standardization.

X.A.6. Appointive Position. An employee who holds an appointive position whose services are terminated, through lack of funds or reduction in force, and is thereupon appointed to another appointive position with the same or lesser salary schedule, shall receive a salary in the second position based upon the relationship of the duties and responsibilities and length of prior continuous service as determined by the Civil Service Commission.

X.A.7. Reappointment Within Six Months. A permanent employee who resigns and is subsequently reappointed to a position in the same classification within six (6) months of the effective date of resignation shall be reappointed to the same salary step that the employee received at the time of resignation.

X.B. Compensation Adjustments.

X.B.1. When an employee promoted to a higher classification during a prior fiscal year receives a lesser salary than if promoted in the same class and from the same salary step during the current fiscal year, his/her salary shall be adjusted on July 1, to the rate he/she would have received had he/she been promoted in the current fiscal year.

The Civil Service Commission is hereby authorized to adjust the salary and anniversary increment date of any employee promoted from one class to a higher classification who would receive a lesser salary than an employee promoted at a later date to the same classification from the same salary step in the same base class from which the promotional examination was held.

X.B.2. When a classification that was formerly a next lower rank in a regular civil service promotional examination receives through salary standardization a salary schedule higher than the salary schedule of the classification to which it was formerly promotive, the Civil Service Commission shall authorize a rate of pay to an employee who was promoted from such lower class equivalent to the salary he/she would have received had he/she remained in such lower class, provided that such employee

must file with the Civil Service Commission an approved request for reinstatement in accordance with the provisions of the Civil Service Commission rule governing reinstatements to the first vacancy in his/her former classification and provided, further, that the increased payment shall be discontinued if the employee waives an offer of promotion from his/her current classification or refuses an exempt appointment to a higher classification. This provision shall not apply to offers of appointment which would involve a change of residence.

The special rate of pay herein provided shall be discontinued if the employee fails to file and compete in any promotional examination for which he/she is otherwise qualified, and which has a compensation schedule higher than the protected salary of the employee.

X.B.3. When an employee is promoted under temporary appointment to a higher classification during a prior fiscal year and is continued in the same classification without a break in service in the current fiscal year, or is appointed to a permanent position in the same classification, such appointment shall be in accordance with the provisions of this ordinance, provided that the salary shall not be less than the same step in the salary schedule the employee received in the immediately prior temporary appointment.

X.B.4. A temporary employee certified from a regular civil service entrance list who has completed six months or more of temporary employment within the immediately preceding one year period before appointment to a permanent position in the same class shall be appointed at the next higher step in the salary schedule and to successive steps upon completion of the six months or one year required service from the date of permanent appointment. These provisions shall not apply to temporary employees who are terminated for unsatisfactory services or resign their temporary position.

X.B.5. Permanent employees working under limited tenure appointment in other classifications or temporary appointments from eligible lists in other classifications shall have their salary adjusted in the limited tenure or temporary class when such employees reach their salary anniversary date in their permanent class.

X.B.6 A provisional appointee in a permanent position in bargaining unit 11B who accepts a permanent appointment in the same class from a regular eligible list shall have his/her salary step in the permanent appointment based on the date of provisional appointment, provided the employee has served in the provisional appointment at least one continuous year immediately prior to the permanent appointment.

X.C. Compensation Upon Transfer or Re-Employment

X.C.1. An employee transferred in accordance with Civil Service Commission rules from one department to another, but in the same classification, shall transfer at his/her current salary, and if he/she is not at the maximum salary for the class, further increments shall be allowed following the completion of the required service based upon the seniority increment anniversary date in the former department.

X.C.2. An employee who has acquired permanent status in a position and who is laid off because of lack of work or funds and is re-employed in the same class after such layoff shall be paid a salary which included credit for actual time served, either permanent or temporary, in the class prior to the layoff.

X.C.3. An employee who has completed the probationary period in a promotive appointment that is two or more steps higher in an occupational series than the permanent position from which promoted who is subsequently laid off and returned to a position in an intermediate ranking classification shall receive a salary based upon actual permanent service in the higher classification, unless such salary is less than the employee would have been entitled to if promoted directly to the intermediate classification. Further increments shall be based upon the increment anniversary date that would have applied in the higher classification.

X.C.4. An employee who has completed the probationary period in an entrance appointment who is laid off and is returned to a classification formerly held on a permanent basis shall receive a salary based upon the original appointment date in the classification to which the employee is returned. An employee who is returned to a classification not formerly held on a permanent basis shall receive a salary in accordance with Section IX.A.3.(B) of this ordinance.

X.D. Notwithstanding any of the other provisions of this ordinance, no employee working in a federally funded position shall be paid at a rate less than the established federal minimum wage if that is a condition upon receipt of the federal funds.

X.E. Longevity Premium. Permanent employees in classifications:

2320 Registered Nurse
2323 Clinical Nurse Specialist
2330 Anesthetist
2340 Operating Room Nurse
2830 Public Health Nurse
2328 Nurse Practitioner

with ten years or more continuous full-time or part-time service in any nurse classification shall be entitled to a longevity premium of $0.30 per hour in addition to their basic hourly rate.

Employees in classifications:

2322 Head Nurse
2324 Nursing Supervisor
2326 Nursing Supervisor Psychiatric
2342 Head Nurse, Surgery
2344 Chief of Surgery, Nurses
2350 Instructor of Nurses
2352 Assistant Director of Nursing, Staff Development and Research
2366 Assistant Director of Nurses, Laguna Honda Hospital
2368 Assistant Director of Nurses, San Francisco General Hospital
2832 Supervising Public Health Nurse
2369 Director of Nurses Laguna Honda Hospital
2370 Director of Nurses San Francisco General

with ten years or more continuous full-time or part-time service shall be entitled to a longevity premium of $0.36 per hour in addition to their basic hourly rate.

XI. METHODS OF CALCULATION.

XI.A. Monthly - An employee whose compensation is fixed on a monthly basis shall be paid monthly or biweekly in accordance with state law or other applicable provision. There shall be no compensation for time not worked unless such time off is authorized time with pay.

XI.B. Biweekly - An employee whose compensation is fixed on a biweekly basis shall be paid the biweekly salary for his/her position for work performed during the biweekly payroll period. There shall be no compensation for time not worked unless such time off is authorized time off with pay.

XI. C. Per Diem or Hourly - An employee whose compensation is fixed on a per diem or hourly basis shall be paid the daily or hourly rate of work performed during the biweekly payroll period on a biweekly pay schedule. There shall be no compensation for time not worked unless such time off is authorized time off with pay.

XI. D. Weekly - An employee whose compensation is fixed on a weekly basis shall be paid biweekly for work performed during the biweekly payroll period. There shall be no compensation for time not worked unless such time off is authorized time off with pay.

XI. E. Conversion of Annual or Monthly Rates to Semi-Monthly or Biweekly Rates When rates of compensation provided on an annual or monthly basis are converted to biweekly rates for payroll purposes and the resulting amount involves a fraction of a cent, the converted biweekly rate shall be adjusted to eliminate such fraction of a cent on a following basis:

1. A fraction of less than one-half (1/2) shall be dropped and the amount reduced to the next full cent.
2. A fraction of one-half (1/2) or more shall be increased to the next full cent.

XI.F. Daily Rates for Monthly and Biweekly Employees - A day's pay shall be determined by dividing the number of work days in a normal work schedule in a monthly payroll period (including specified holidays) into the monthly salary established for the position, or the amount of a day's pay shall be 1/10th of the compensation of a normal work schedule in a biweekly period (including specified holidays).

XI.G. Conversion to Biweekly Rates - Rates of compensation established on other than biweekly basis may be converted to biweekly rates by the Controller for payroll purposes.

SECTION XII. SENIORITY INCREMENTS.

XII.A Entry at the First Step for Staff Nurses and Supervisory Nurses. Permanent registered nurses appointed at Step One shall advance to the second step upon completion of six months of service. Such nurses shall advance to Step Three, Step Four and Step Five upon completion of one year required service at the prior step. Such nurses shall advance to Step Six upon completion of two years of service at Step Five. Permanent supervisory nurses in bargaining unit 11-B and permanent nurses

in unrepresented classes with one year of service at Step Six shall advance to Step Seven, subject to a "competent and effective" performance evaluation rating in clinical areas.

XII.B. Entry at Other Than the First Step for Staff Nurses and Supervisory Nurses. Newly employed permanent, temporary and provisional employees in registered nurse classifications (excluding P-103 Per Diem Nurses) shall be appointed at the second salary step if they have three (3) years' experience within the last five (5) years prior to appointment. Such permanent employees shall advance at one (1) year intervals to Step Three through Step Five. Permanent Registered Nurses shall advance to Step Six upon completion of two years of service at Step Five. Permanent supervisory nurses in bargaining unit 11-B and permanent nurses in unrepresented classes with one year of service at Step Six shall advance to Step Seven, subject to a "competent and effective" performance evaluation rating in clinical areas.

Newly employed permanent, temporary and provisional employees in registered nurse classifications (excluding P-103 Per Diem Nurses) shall be appointed at the third salary step if they have had six (6) years of experience within the last ten (10) years prior to appointment. Permanent employees shall advance at one (1) year intervals thereafter to Step Four through Step Five. Permanent Registered Nurses shall advance to Step Six upon completion of two years of service at Step Five. Permanent supervisory nurses in bargaining unit 11-B and permanent nurses in unrepresented classes with one year of service at Step Six shall advance to Step Seven, subject to a "competent and effective" performance evaluation rating in clinical areas.

XII.C. Steps for P-103 Per Diem Nurses. P-103 Per Diem Nurses who have completed one year of service and 1000 hours of service shall advance to Step Two of the per diem salary schedule. P-103 Per Diem Nurses who have completed one year of service and 1000 hours of service at Step Two shall advance to Step Three.

XII.D Date Increment Due. Increments shall accrue and become due and payable on the next day following completion of required service as a permanent employee in the class, unless otherwise provided herein.

XII.D. Schedule of Salary Increments. The schedule of seniority

increments as set forth at the end of Section XIV is hereby made a part of the schedules of compensation.

XII.E. Exceptions. An employee shall not receive a salary adjustment based upon service as herein provided if he/she has been absent by reason of suspension or on any type of leave without pay (excluding a military, educational, or industrial accident leave) for more than one-sixth of the required service in the anniversary year, provided that such employee shall receive a salary increment when the aggregate time worked since his/her previous increment equals or exceeds the service required for the increment, and such increment date shall be his/her new anniversary date, provided that time spent on approved military leave or in an appointive or promotive position shall be counted as actual service when calculating salary increment due dates.

When records of service required for advancement in the step increments within a compensation schedule are established and maintained by electronic data processing, then the following shall apply:

An employee certified to permanent appointment or appointed to a permanent position exempt from civil service shall be compensated under such appointment at the beginning step of the compensation schedule plan, unless otherwise specifically provided for in the salary standardization ordinance. Employees under permanent civil service appointment shall receive salary adjustments through the steps of the compensation schedule plan by completion of actual paid service in total scheduled hours equivalent to one year or six months, whichever is applicable.

Paid service for this purpose is herein defined as exclusive of any type of overtime but shall include military or educational leave without pay.

Advancement through the increment steps of the compensation schedules shall accrue and become due and payable on the next day following completion of required service as a permanent appointee in the class, provided that the above procedure for advancement to the compensation schedule increment steps is modified as follows:

XII.E.1. An employee who during the portion of his/her anniversary year prior to January 1, 1988, is absent without pay

for a period of less than one-sixth of the time required to earn the next increment will have such absence credited as if it were paid service for the purposes of calculating the date of the increment due during calendar year 1988.

XII.E.2. An employee who during that portion of his/her anniversary year prior to January 1, 1988, is absent without pay for a period in excess of one-sixth of the time required to earn the next prior increment will be credited with actual paid service prior to January 1, 1988.

XIII. ADMINISTRATION OF THE PROVISIONS OF THIS ORDINANCE.

The grievance procedure referred to in a memorandum of understanding with the Board of Supervisor shall be utilized to resolve all problems or questions of the interpretation which may arise in connection with the administration of the provisions of this ordinance until such time as the Civil Service Commission amends Rule 18 with regard to arbitration. At such time as Civil Service Commission Rule 18 is amended, the grievance procedure referred to in the memorandum of understanding shall become inoperative and Rule 18 shall become the appropriate grievance procedure.

In the absence of a memorandum of understanding grievance procedure, problems or questions of interpretation which may arise in connection with the administration of the provisions of this ordinance shall be determined by the General Manager, Personnel, after meeting and conferring with the employee or employee organization affected until such time as the Civil Service Commission amends Rule 18 with regard to arbitration. At such time as Civil Service Commission Rule 18 is amended, Rule 18 shall become the appropriate procedure to resolve problems or questions of interpretation which may arise in connection with the administration of the provisions of this ordinance.

SECTION XIV. SCHEDULES OF COMPENSATION

The schedules of compensation for the respective classifications of employment subject to the provisions of Section 8.403 of the Charter are attached as APPENDIX 1.

Rates for employees' classes are on a biweekly basis for a normal work schedule of five days per week, eight hours per day.

XV. EFFECTIVE DATES

This Ordinance shall take effect on July 1, 1991.

XVI. SAVINGS CLAUSE

If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional or contrary to law, such decision shall not affect the validity of the remaining portions of this ordinance. If any salary, wage or schedule of compensation herein fixed is held to be contrary to the provisions of the Charter, other law or statute, such decisions shall not affect the validity of any other salary, wage or schedule of compensation fixed in this ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance, and each section, subsection, sentence, clause or phase hereof, and approved and adopted each salary, wage or schedule of compensation herein, irrespective of the fact that any one or more other section, subsection, clause or phrase may be declared unconstitutional, or that any other salary, wage or schedule of compensation may be declared contrary to law.

APPROVED AS TO FORM:
LOUISE H. RENNE, City Attorney

By Theodore R. Lakey
Deputy City Attorney

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
May 20, 1991	§	May 28, 1991
Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Kennedy Maher Migden Shelley Ward	§	Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward
Absent: Supervisors Britt Hsieh	§	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Mary Anne Baker
ACTING Clerk

File No.
103-91-1

JUN 0 4 1991
Date Approved

Mayor

FILE NO. 47-91-7 ORDINANCE NO. 209-91

Parking Lot Lease Documents]

APPROVING AND ADOPTING MISSION-BARTLETT GARAGE LEGAL DOCUMENTS AND AUTHORIZATION TO LEASE.

Be It Ordained by the People of the City and County of San Francisco:

Section 1. In accordance with the recommendation of the Parking Authority of the City and County of San Francisco, there has been filed with the Clerk of the Board certain documents which consist of:

1. Form of Invitation for Bids
2. Form of Bid
3. Form of Questionnaire
4. Form of Lease

Section 2. The legal documents are hereby approved in substantially the form now filed in the Office of the Clerk of the Board of Supervisors and are made a part hereof by reference.

Section 3. The Director of Property is authorized to call for bids of said lease pursuant to and in accordance with the Invitation of Bids and Bid Form.

Recommended:

Director of Parking Authority

Director of Property

APPROVED AS TO FORM:
LOUISE H. RENNE, City Attorney

By Julian E. Halttunen
Deputy City Attorney

2948

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
May 28, 1991	June 3, 1991
Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Migden Shelley Ward	Ayes: Supervisors Achtenberg Britt Gonzalez Hsieh Kennedy Maher Migden Ward
Absent: Supervisors Maher	Absent: Supervisors Alioto Hallinan Shelley

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 47-91-7

JUN 07 1991
Date Approved

Mayor

DOCUMENTS DEPT.
JUN 26 1991
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PUBLIC LIBRARY

FILE NO. 109-91-2 ORDINANCE NO. 210-91

[Rent Ordinance]

AMENDING THE SAN FRANCISCO ADMINISTRATIVE CODE BY AMENDING SECTIONS 37.3, 37.7, 37.8, 37.10A AND 37.11A THEREOF, TO ESTABLISH LIMITATIONS ON INITIAL RENTS FOR RENTAL UNITS, CREATE A PROCEDURE FOR VERIFICATION OF INITIAL RENTS, PROVIDE FOR ARBITRATION OF INITIAL RENTS, EXPAND FACTORS TO BE CONSIDERED BY HEARING OFFICERS, CREATE A NEW CRIMINAL PENALTY AND ENLARGE THE SCOPE OF CIVIL ACTIONS.

Note: Additions or substitutions are <u>underlined</u>; deletions are indicated by ((double)) parentheses.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The San Francisco Administrative Code is hereby amended by amending Sections 37.3, 37.7, 37.8, 37.10A and 37.11A thereof to read as follows:

SEC. 37.3. <u>Rent Limitations</u>.

(a) <u>Rent Increase Limitations for Tenants in Occupancy</u>. Landlords may impose rent increases upon tenants in occupancy only as provided below:

(1) <u>Annual Rent Increase</u>. On March 1 of each year, the Board shall publish the increase in the CPI for the preceding 12 months, as made available by the U.S. Department of Labor. A landlord may impose annually a rent increase which does not exceed a tenant's base rent by more than 60% of said published increase. In no event, however, shall the allowable annual increase be less than 4% or greater than 7%.

(2) <u>Banking</u>. A landlord who refrains from imposing an annual rent increase or any portion thereof may accumulate said increase and impose that amount on the tenant's subsequent rent increase anniversary dates. A landlord who, between April 1, 1982 and February 29, 1984, has banked an annual 7% rent increase (or rent increases) or any portion thereof may impose the accumulated increase on the tenant's subsequent rent increase anniversary dates.

(3) <u>Capital Improvements, Rehabilitation, and Energy Conservation Measures</u>. A landlord may impose rent increases based upon the cost of capital improvements, rehabilitation or energy conservation measures provided that such costs are certified pursuant to Section 37.7 below.

(4) <u>Utilities</u>. A landlord may impose increases based upon the cost of utilities as provided in Section 37.2(o) above.

(5) <u>Charges Related to Excess Water Use</u>. A landlord may impose increases not to exceed fifty percent of the excess use charges (penalties) levied by the San Francisco Water Department on a building for use of water in excess of Water Department allocations under the following conditions:

(A) The landlord provides tenants with written certification that the following have been installed in all units: (1) permanently-installed retrofit devices designed to reduce the amount of water used per flush or low-flow toilets (1.6 gallons per flush); (2) low-flow showerheads which allow a flow of no more than 2.5 gallons per minute; and (3) faucet aerators (where installation on current faucets is physically feasible); and

(B) The landlord provides the tenants with written certification that no known plumbing leaks currently exist in the building and that any leaks reported by tenants in the future will be promptly repaired; and

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(C) The landlord provides the tenants with a copy of the water bill for the period in which the penalty was charged. Only penalties billed for a service period which begins after the effective date of the ordinance may be passed through to tenants. Where penalties result from an allocation which does not reflect documented changes in occupancy which occurred after March 1, 1991, a landlord must, if requested in writing by a tenant, make a good faith effort to appeal the allotment. Increases based upon penalties shall be pro-rated on a per room basis provided that the tenancy existed during the time the penalty charges accrued. Such charges shall not become part of a tenant's base rent. Where a penalty in any given billing period reflects a 25% or more increase in consumption over the prior billing period, and where that increase does not appear to result from increased occupancy or any other known use, a landlord may not impose any increase based upon such penalty unless inspection by a licensed plumber or Water Department inspector fails to reveal a plumbing or other leak. If the inspection does reveal a leak, no increase based upon penalties may be imposed at any time for the period of the unrepaired leak.

(6) RAP Loans. A landlord may impose rent increases attributable to the Chief Administrative Officer's amortization of the RAP loan in an area designated on or after July 1, 1977 pursuant to Chapter 32 of the San Francisco Administrative Code.

(7) Additional Increases. A landlord who seeks to impose any rent increase which exceeds those permitted above shall petition for a rental arbitration hearing pursuant to Section 37.8 of this chapter.

(8) Limitation on All Increases. Notwithstanding any other provision of Section 37.3, where a hearing officer, pursuant

to Section 37.8(c)(7), has ordered that a tenant receive no increases because the landlord has failed to substantiate the initial rent, the increases set forth in Section 37.3(a)(1-4) shall not be allowed.

(b) Notice of Rent Increase for Tenants in Occupancy. On or before the date upon which a landlord gives a tenant legal notice of a rent increase, the landlord shall inform the tenant, in writing, of the following:

(1) Which portion of the rent increase reflects the annual increase, and/or a banked amount, if any;

(2) Which portion of the rent increase reflects costs for capital improvements, rehabilitation, or energy conservation measures certified pursuant to Section 37.7;

(3) Which portion of the rent increase reflects the passthrough of charges for gas and electricity, which charges shall be explained;

(4) Which portion of the rent increase reflects the amortization of the RAP loan, as described in Section 37.3(a)(6) above.

(5) Nonconforming Rent Increases. Any rent increase which does not conform with the provisions of this section shall be null and void.

(c) Initial Rent Limitation for Subtenants. A tenant who subleases his or her rental unit may charge no more rent upon initial occupancy of the subtenant or subtenants than that rent which the tenant is currently paying to the landlord.

(d) Establishment of Initial Rents.

(1) For tenants occupying a rental unit pursuant to a tenancy which begins on or after July 1, 1991, a landlord may charge no more than the base rent of the previous tenancy plus the

amounts listed below, as applicable:

(A) Vacancy Allowance. A landlord may charge an additional 2% per year over the base rent of the previous tenancy provided that the calculation of such figure begins on or after April 1, 1982. In no event, however, shall the vacancy allowance be less than 10% or more than 14%. In addition, this allowance shall not be imposed unless the previous tenancy was terminated either voluntarily by the tenant or pursuant to a lawful eviction under Section 37.9(a) below. This allowance shall also not be imposed more than once in any given ~~two-year~~ 36 months period beginning on or after July 1, 1991.

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(B) Banking.

(i) A landlord may charge any amounts which the landlord has banked with respect to the previous tenancy pursuant to Section 37.3(a)(2).

(ii) A landlord may also charge any annual rent increases which the landlord could lawfully have imposed with respect to the previous tenancy between June 13, 1979 and March 31, 1982 but refrained from imposing, provided that such increases do not exceed 7% per year for this period.

(C) Capital Improvements, Rehabilitation, and Energy Conservation Measures. A landlord may charge for capital improvements or rehabilitation or energy conservation measures which have been certified pursuant to Section 37.7 below.

(D) Utilities. A landlord may impose increases based upon the cost of utilities as provided in Section 37.2(o) above.

(E) Fair Landlord Adjustments.

(i) CPI Adjustment. Where a pre-June 13, 1979 tenancy terminates on or after July 1, 1991, a landlord may

charge an increase equivalent to 60% of the annual increase in the Consumer Price Index, as made available by the U.S. Department of Labor, for each year prior to June 13, 1979, provided that such increases were not imposed during this period. This adjustment shall be calculated prior to all other calculations of increases and allowances permitted under Section 37.3(d).

(ii) Fair Market Adjustment. As an alternative to the CPI adjustment permitted in subsection (i) above, a landlord may petition the Board for a hearing to determine the fair market value of the unit on June 13, 1979 where the landlord claims that the rent charged on that date was less than market rent for comparable units and where the pre-June 13, 1979 tenancy terminates on or after July 1, 1991. Evidence shall include, but not be limited to, rents as advertised ~~in the local newspapers~~ for that neighborhood in the local newspaper during the week of June 13, 1979, which advertisements shall be available at the Board. This adjustment is only available if a similar adjustment for the unit has not been granted by the Board under Section 37.8(h)(4)(B).

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(2) The purpose of subsections (d)(1)(E) above is to assure that landlords who have had long-term tenants with historically low rents pre-dating June 13, 1979 receive fair rents upon the first new tenancy commencing on or after July 1, 1991, the date upon which this Chapter first established limitations on initial rents.

(3) Notwithstanding the limits on the establishment of initial rents set forth in subsection (d)(1) above, where a unit not subject to this Chapter on July 1, 1991 subsequently becomes

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subject to this Chapter, there shall be no limit on the initial rent charged.

(4) The limits on the establishment of initial rents set forth in subsection (d)(1) above shall not apply to units vacated and re-rented pursuant to Sections 37.9(a)(13) and 37.9A.

(5) Nothing in the establishment of initial rents shall prohibit a landlord from seeking other increases permissible under this Chapter.

(e) Landlord Disclosure of Allowable Initial Rents.

(1) For each rental unit offered for rent where a new tenancy is to begin on or after July 1, 1991, the landlord shall provide each prospective tenant with a written rent disclosure statement. The statement, which shall be signed and dated by the landlord under penalty of perjury, shall include the following, separately stated, as applicable:

(A) Previous Rent. The base rent of the previous tenancy.

(B) Vacancy Allowance. Any increase permitted by Section 37.3(d)(1)(A) above.

(C) Banking. Any amount which the landlord has banked with respect to the previous tenancy pursuant to Section 37.3(d)(1)(B) above.

(D) Capital Improvements, Rehabilitation and Energy Conservation Measures. Amounts for such work which have been certified pursuant to Section 37.7 plus those amounts for which the landlord has filed a petition with the Board. The landlord shall attach any Board decision under which the landlord received authorization for such passthroughs, plus any petition for future passthroughs filed with the Board.

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(E) Utilities. Amounts for the increased cost of utilities as provided in Section 37.2(o) above.

(F) CPI Adjustment. Any CPI adjustment increases permitted under Section 37.3(d)(1)(E)(i) above, if a landlord chooses this alternative.

(G) Total Rent. The above items shall be totaled. This total is the allowable rent for any tenancy which begins on or after July 1, 1991; provided, however, that any amount which reflects capital improvements not yet certified by the Board is subject to change upon certification.

(H) Fair Market Adjustment. If a landlord chooses this adjustment as an alternative to the CPI adjustment in (F) above, the landlord shall state that he/she seeks this adjustment

5/28/91 ejp and shall file a petition with the Board no later than ~~120~~ 240 days after the commencement of the tenancy. This time limit is mandatory and therefore deemed jurisdictional.

(I) Rent Board Information. The disclosure shall also include a statement that information concerning rents which may be lawfully charged in San Francisco is available from the Residential Rent Stabilization and Arbitration Board.

(J) Verification. The disclosure shall also include a statement that the tenant may seek verification of any information contained in the rent disclosure statement from the

5/28/91 ejp Rent Board. Such verification must be sought no later than ~~120~~ 240 days after the commencement of the tenancy. This time limit is mandatory and is therefore deemed jurisdictional.

(2) Failure to provide the information required in the rent disclosure statement shall subject the landlord to the penalties set forth in this Chapter.

(f) Review of Rent Limitations upon Initial Occupancy. The

limitations upon the establishment of initial rents as set forth in Section 37.3(d) above shall be reviewed by the Board of Supervisors prior to July 1, 1993 and adjusted, if necessary, in order to continue to assure landlords fair and reasonable rents. If the Board fails to review the limitation on initial rents prior to July 1, 1993, the limitation shall expire on said date.

SEC. 37.7. Certification of Rental Increases for Capital Improvements, Rehabilitation and Energy Conservation Measures.

(a) Authority. In accordance with such guidelines as the Board shall establish, the Board and designated hearing officers shall have the authority to conduct hearings in order to certify rental increases to the extent necessary to amortize the cost of capital improvements, rehabilitation, and energy conservation measures. Costs determined to be attributable to such work shall be amortized over a period which is fair and reasonable for the type and the extent of the work and which will provide an incentive to landlords to maintain, improve and renovate their properties while at the same time protecting tenants from excessive rent increases. Costs attributable to routine repair and maintenance shall not be certified.

(b) Requirements for Certification. The Board and designated hearing officers may only certify the costs of capital improvements, rehabilitation, and energy conservation measures where the following criteria are met:

(1) The landlord completed capital improvements or rehabilitation on or after April 15, 1979, or the landlord completed installation of energy conservation measures on or after July 24, 1982 and has filed a proof of compliance with the Bureau of Building Inspection in accordance with the requirements of

Section 1207(d) of the Housing Code;

(2) The landlord has not yet increased the rent or rents to reflect the cost of said work;

(3) The landlord has not been compensated for the work by insurance proceeds;

(4) The building is not subject to a RAP loan in a RAP area designated prior to July 1, 1977.

(c) Amortization and Cost Allocation. The Board shall establish amortization periods and cost allocation formulas. Costs shall be allocated to each unit according to the benefit of the work attributable to such unit.

(d) Estimator. The Board or its Executive Secretary may hire an estimator where an expert appraisal is required.

(e) Filing Fee. The Board shall establish a filing fee based upon the cost of the capital improvement, rehabilitation, or energy conservation measures being reviewed. Such fees will pay for the costs of an estimator. These fees shall be deposited in the Residential Rent Stabilization and Arbitration Fund pursuant to Section 10.117-88 of this code.

(f) Application Procedure.

(1) Filing. Landlords who seek to pass through the costs of capital improvements, rehabilitation, or energy conservation measures must file an application on a form prescribed by the board. The application shall be accompanied by such supporting materials as the Board shall prescribe. All applications must be submitted with the filing fee established by the board.

(2) Filing Date. Applications must be filed prior to (a) the mailing or delivery of legal notice of a rent increase to ((the)) tenants in occupancy((.of units for which the landlord

seeks certification.)) and (b) establishing any initial rent pursuant to Section 37.3(d)(1)(C) above.

(3) Effect of Filing Application. Upon the filing of the application, the requested increases will be inoperative until such time as the hearing officer makes findings of fact at the conclusion of the certification hearing.

(4) Notice to Parties. The Board shall calendar the application for hearing before a designated hearing officer and shall give written notice of the date to the parties at least 10 days prior to the hearing.

(g) Certification Hearings.

(1) Time of Hearing. The hearing shall be held within 45 days of the filing of the application.

(2) Consolidation. To the greatest extent possible, certification hearings with respect to a given building shall be consolidated. Where a landlord and/or tenant has filed a petition for hearing based upon the grounds and under the procedure set forth in Section 37.8, the Board may, in its discretion, consolidate certification hearings with hearings on Section 37.8 petitions.

(3) Conduct of Hearing. The hearing shall be conducted by a hearing officer designated by the Board. Both parties may offer such documents, testimony, written declarations or other evidence as may be pertinent to the proceedings. Burden of proof is on the landlord. A record of the proceedings must be maintained for purposes of appeal.

(4) Determination of the Hearing Officer. In accordance with the Board's amortization schedules and cost allocation formulas, the hearing officer shall make findings as to whether or

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not the proposed rent increases are justified based upon the following considerations:

(A) The application and its supporting documentation;

(B) Evidence presented at the hearing establishing both the extent and the cost of the work performed;

(C) Estimator's report, where such report has been prepared; and

(D) Any other such relevant factors as the board shall specify in Rules and Regulations.

(5) Findings of Fact. The hearing officer shall make written findings of fact, copies of which shall be mailed within 30 days of the hearing.

(6) Payment or Refund of Rents to Implement Certification Decision. If the hearing officer finds that all or any portion of the heretofore inoperative rent increase is justified, the tenant shall be ordered to pay the landlord that amount. If the tenant has paid an amount to the landlord which the hearing officer finds unjustified, the hearing officer shall order the landlord to reimburse the tenant said amount. In either case, however, such an order shall be stayed if an appeal is timely filed by the aggrieved party.

(7) Finality of Hearing Officer's Decision. The decision of the hearing officer shall be final unless the Board vacates his or her decision on appeal.

(8) Appeals. Either party may file an appeal of the hearing officer's decision with the Board. Such appeals are governed by Section 37.8(f) below.

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SEC. 37.8. Arbitration ((of Rental Increase Adjustments)) and Verification Procedures.

(a) Authority of Board and Hearing Officers. In accordance with such guidelines as the Board shall establish, the Board and designated hearing officers shall have the authority to verify initial rents and to arbitrate fair market adjustments, initial rent disputes and rent((al increase)) adjustments.((and)) The Board shall further have the authority to administer the rent increase protest procedures with respect to RAP rental units as set forth in Chapter 32 of the San Francisco Administrative Code.

(b) Verification of Initial Rents.

(1) A tenant whose tenancy begins on or after July 1, 1991 may request a verification from the Board of initial rent. The procedure shall be as follows:

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(A) Filing. A request for verification must be filed within ~~120~~ 240 days of the tenant's receipt of the rent disclosure statement; provided, however, that where a tenant never receives such a statement, the tenant may file no later than 365 days from the date his or her tenancy commenced. These time limits are mandatory and are therefore deemed jurisdictional. The form of the request shall be determined by the Board.

(B) Notification of Landlord. Upon receipt of the request, the Board shall notify the landlord and request the landlord to submit to the Board, within thirty (30) days of the notification, sufficient documentary evidence to substantiate the initial rent charged to the tenant.

(C) Documentary Evidence. A landlord's documentary evidence may include rent receipts, the rental agreement of the previous tenancy, or such other evidence as the Board may determine to be satisfactory by rule or regulation.

(D) Burden of Proof. The burden of proof shall be on the landlord.

(2) The Board shall determine whether the documentary evidence submitted by the landlord is sufficient to substantiate the initial rent, or any portion thereof, charged to the tenant. The Board shall mail notice to the parties of its determination within thrity (30) days. All documentary evidence supporting the Board's determination shall be available for inspection by the parties.

(c) Request for Hearing on Determination of Initial Rent.

(1) Filing. A landlord or tenant who seeks to challenge or enforce the Board's determination rendered under Section 37.8(b) above may petition for a hearing on the initial rent. The petition must be filed on a form and accompanied by such supporting material as the Board shall prescribe.

(2) Filing Date. Such petition must be filed with the Board within thirty (30) days of the mailing of the Board's determination. This time limit is mandatory and is therefore deemed jurisdictional.

(3) Effect of Filing. Filing a petition for verification or determination of initial rent does not relieve the tenant of his or her obligation to pay rent.

(4) Burden of Proof. The burden of proof is on the landlord.

(5) Submission of Evidence; List of Witnesses. At least 72 hours prior to the hearing, both parties shall submit to the Board and to each other copies of all documentary evidence to be introduced at the hearing and a list of names and addresses of potential witnesses to be called. Failure to comply with this subsection may result in the exclusion of evidence and/or the dismissal of the petition.

(6) Hearing Record. In addition to evidence submitted at the hearing, the Board's prior determination and all documentary evidence supporting the determination shall be made part of the hearing record.

(7) Decision of Hearing Officer. Based upon the evidence presented at the hearing and upon such relevant factors as the Board shall determine, the hearing officer shall make findings as to the initial rent allowed to be charged under Section 37.3(d). If the hearing officer finds that the landlord has not substantiated the initial rent charged, the hearing officer shall order the landlord to continue to charge no more than the level of the initial rent. The Board shall keep a record, by address, of this order. Notwithstanding subsequent tenancies, if any, the order shall be in effect until it is vacated, modified or superseded by another order of the Board.

(8) Refund of Rents to Implement Arbitration Decision. If the hearing officer finds that the initial rent charged the tenant exceeded the allowable initial rent under Section 37.3(d), the hearing officer may either order the landlord to refund the excess to the tenant within fifteen (15) days of the mailing of the findings of fact or may order said amount offset against future rents; provided, however, that any such order shall be stayed if an appeal is timely filed by the landlord.

(9) Further Procedures Applicable to Arbitration of Initial Rent Disputes. Hearings conducted pursuant to Section 37.8(c) are further subject to the general hearing procedures set forth in subsections (f)(4), (g)(2), (h)(1), (h)(2), (h)(3), (h)(6), and (h)(8). Appeals may be taken as provided in subsection (i) below.

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(10) Additional Remedies. The remedies available in Section ~~37.8(c)~~ 37.8(b) and (c) shall be in addition to any other remedies available to the tenant or the Board.

(11) The Board shall promulgate rules and regulations for the administrative implementation of Section 37.8(c).

(d) Request for Hearing on Fair Market Adjustment.

(1) Filing. A landlord who seeks a fair market adjustment as provided in Section 37.3(d)(1)(E)(ii) above may petition for a hearing. The petition must be filed on a form and accompanied by such supporting material as the Board shall prescribe.

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(2) Filing Date. Such petition must be filed with the Board no later than ~~120~~ 240 days after the commencement of the first new tenancy beginning on or after July 1, 1991. This time limit is mandatory and therefore jurisdictional.

(3) Further Requirements. In addition to the requirements of subsections (d)(1) and (2) above, the fair market adjustment hearing and procedures shall be governed by subsections (c)(3), (4), (5), (6) and (7) above, and by subsections (f)(4), (g)(2), (h)(1), (h)(2), (h)(3), (h)(6) and (h)(8) below. Appeals may be taken as provided in subsection (i) below.

(4) Decision of Hearing Officer. Based upon the evidence presented at the hearing and upon such relevant factors as the Board shall determine, the hearing officer shall make findings as to whether the landlord shall be permitted a fair market adjustment. If the adjustment is permitted, the hearing officer shall recalculate the establishment of the initial rent as provided in Section 37.3(d)(1) above. The adjustment shall be calculated prior to all other calculations of increases and allowances permitted under Section 37.3(d)(1). The hearing

officer may order payment to the landlord within fifteen (15) days of the mailing of the findings of fact of any sums owed by the tenant as a result of the recalculations, or may order the amount added to or offset against future rents; provided, however, that any such order shall be stayed if an appeal is timely filed by the tenant.

(((b))) (e) Request for ((Arbitration.)) Hearing to Adjust Rents for Tenants in Occupancy.

(1) Landlords. Landlords who seek to impose rent increases which exceed the limitations set forth in Section 37.3(a) above must request an arbitration hearing as set forth in this Section. Where there has been a prior order pursuant to Section 37.8(c)(7) which limited the rent increases for a tenant because the landlord failed to substantiate the initial rent charged, the landlord may request an arbitration hearing to establish the tenant's allowable initial rent based upon evidence which was not previously available due to good cause; provided however, that this limitation does not prevent a landlord from requesting an arbitration hearing on the basis of rate of return under subsection (h)(4)(F) below. ((The burden of proof is on the landlord.))

(2) Tenants.

(A) ((Notwithstanding Section 37.3,)) ((t))Tenants of non-RAP rental units and tenants of RAP rental units in areas designated on or after July 1, 1977 may request arbitration hearings ((where a landlord has substantially decreased services without a corresponding reduction in rent and/or has failed to perform ordinary repair and maintenance under state or local law and/or has failed to provide the tenant with a clear explanation of the charges for gas and electricity passed through to the

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tenant. Burden of proof is on the tenant.)) where a tenant claims one or more of the following:

(i) The landlord seeks a rent increase which exceeds the limitations set forth in Section 37.3(a).

(ii) The landlord has substantially decreased housing services without a corresponding reduction in rent and/or has failed to perform ordinary repair and maintenance under state or local law.

(iii) The landlord has failed to provide the tenant with a clear explanation of the charges for gas and electricity passed through to the tenant.

(iv) The landlord is seeking any rent increase after a hearing officer has ordered no increases pursuant to subsection (c)(7) above.

(B) Tenants of RAP rental units in areas designated prior to July 1, 1977 may petition for a hearing where the landlord has noticed an increase which exceeds the limitations set forth in Section 32.73 of the San Francisco Administrative Code. After a vacancy has occurred in a RAP rental unit in said areas, a new tenant of said unit may petition for a hearing where the landlord has demanded and/or received a rent for that unit which exceeds the rent increase limitation set forth in Section 32.73 of the San Francisco Administrative Code. The burden of proof is on the landlord.

(((c))) (f) Procedure for Landlord Petitioners.

(1) Filing. The request for arbitration must be filed on a petition form prescribed by the Board and shall be accompanied by such supporting material as the Board shall prescribe, including but not limited to, justification for the proposed rental increase or substantiation of the initial rent

charged where new evidence has become available as provided in Section 37.8(e)(1) above. The burden of proof is on the landlord.

(2) Filing Date. The petition must be filed prior to the mailing or delivering to the tenant or tenants legal notice of the rental increase exceeding the limitations as defined in Section 37.3.

(3) Effect of Timely Filing of Petition. Provided a completed petition is timely filed, that portion of the requested rental increase which exceeds the limitations set forth in Section 37.3 and has not been certified as a justifiable increase in accordance with Section 37.7 is inoperative until such time as the hearing officer makes findings of fact at the conclusion of the arbitration hearing.

(4) Notice to Parties. The Board shall calendar the petition for hearing before a designated hearing officer and shall give written notice of the date to the parties at least ten (10) days prior to the hearing.

(((d))) (g) Procedure for Tenant Petitioners.

(1) Filing; Limitation. The request for arbitration must be filed on a petition form prescribed by the Board and must be accompanied by such supporting material as the Board shall prescribe, including but not limited to, a copy of the landlord's notice of rent increase. If the tenant petitioner has received certification findings regarding his rental unit in accordance with 37.7, such findings must accompany the petition. If the tenant petitioner has received a notification from the Chief Administrative Officer with respect to base rent and amortization of a RAP loan, such notification must accompany the petition. Tenant petitions regarding the gas and electricity passthrough must be filed within one year of the effective date of the

passthrough or within one year of the date the passthrough was required to be recalculated pursuant to rules and regulations promulgated by the Board. This time limit is mandatory and therefore deemed jurisdictional. The burden of proof is on the tenant.

(2) Notice to Parties. The Board shall calendar the petition for hearing before a designated hearing officer and shall give written notice of the date to the parties at least ten (10) days prior to the hearing. Responses to a petition for hearing may be submitted in writing.

(((e))) (h) Hearings.

(1) Time of Hearing. The hearing must be held within forty-five (45) days of the filing of the petition. The level of housing services provided to tenants' rental units shall not be decreased during the period between the filing of the petition and the conclusion of the hearing.

(2) Consolidation. To the greatest extent possible, hearings with respect to a given building shall be consolidated.

(3) Conduct of Hearing. The hearing shall be conducted by a hearing officer designated by the Board. Both parties may offer such documents, testimony, written declarations or other evidence as may be pertinent to the proceedings. A record of the proceedings must be maintained for purposes of appeal.

(4) Determination of the Hearing Officer: Rental Units. Based upon the evidence presented at the hearing and upon such relevant factors as the Board shall determine, the hearing officer shall make findings as to whether or not the landlord's proposed rental increase exceeding the limitations set forth in Section 37.3 is justified or whether or not the landlord has effected a rent increase through a reduction in services or has

failed to perform ordinary repair and maintenance as required by state or local law or whether that landlord is receiving a fair rate of return. In making such findings, the hearing officer shall take into consideration the following factors:

(A) Increases or decreases in operating and maintenance expenses, including, but not limited to, real estate taxes, sewer service charges, janitorial service, refuse removal, elevator service, security system, and debt service; provided however, when a unit is purchased after the effective date of this ordinance, and this purchase occurs within two (2) years of the date of the previous purchase, consideration shall not be given to that portion of increased debt service which has resulted from a selling price which exceeds the seller's purchase price by more than the percentage increase in the "Consumer Price Index for All Urban Consumers for the San Francisco-Oakland Metropolitan Area, U.S. Department of Labor" between the date of previous purchase and the date of the current sale, plus the cost of capital improvements or rehabilitation work made or performed by the seller.

(B) The past history of increases in the rent for the unit and the comparison of the rent for the unit with rents for comparable units in the same general area.

(C) Any findings which have been made pursuant to Section 37.7 with respect to the unit.

(D) Failure to perform ordinary repair, replacement and maintenance in compliance with applicable state and local law.

(E) Prior orders limiting increases pursuant to Section 37.8(c)(7) where the landlord has failed to substantiate the initial rent charged.

(F) The landlord's rate of return.

(((E))) (G) Any other such relevant factors as the Board shall specify in rules and regulations.

(5) Determination of the Hearing Officer: RAP Rental Units.

(A) Rap Rental units in RAP areas designated prior to July 1, 1977. The hearing officer shall make findings as to whether or not the noticed or proposed rental increase exceeds the rent increase limitations set forth in Section 32.73 of the San Francisco Administrative Code. In making such findings, the hearing officer shall apply the rent increase limitations set forth in Chapter 32 of the San Francisco Administrative Code and all rules and regulations promulgated pursuant thereto. The hearing officer shall consider the evidence presented at the hearing. The burden of proof shall be on the landlord.

(B) Rap rental units in RAP areas designated on or after July 1, 1977. The hearing officer shall make findings with respect to rent increases exceeding the limitations as set forth in Section 37.3 of this chapter. In making such findings, the hearing officer shall take into consideration the factors set forth in subsection (4) above and shall consider evidence presented at the hearing. The burden of proof is on the landlord.

(6) Findings of Fact. The hearing officer shall make written findings of fact, copies of which shall be mailed to the parties within 30 days of the hearing.

(7) Payment or Refund of Rents to Implement Arbitration Decision. Upon finding that all or any portion of the rent increase is or is not justified, the hearing officer may order payment or refund of all or a portion of that cumulative amount within fifteen (15) days of the mailing of the findings of fact or

may order the amount added to or offset against future rents; provided, however, that any such order shall be stayed if an appeal is timely filed by the aggrieved party.

(8) Finality of Hearing Officer's Decision. The decision of the hearing officer shall be final unless the Board vacates his decision on appeal.

(((f))) (i) Appeals.

(1) Time and Manner. Any appeal to the Board from the determination of the hearing officer must be made within fifteen (15) calendar days of the mailing of the findings of fact unless such time limit is extended by the Board upon a showing of good cause. The appeal shall be in writing and must state why appellant believes there was either error or abuse of discretion on the part of the hearing officer. The filing of an appeal will stay only that portion of any hearing officer's decision which permits payment, refund, offsetting or adding rent.

(2) Record on Appeal. Upon receipt of an appeal, the entire administrative record of the matter, including the appeal, shall be filed with the Board.

(3) Appeals. The Board shall, in its discretion, hear appeals. In deciding whether or not to hear a given appeal, the board shall consider, among other factors, fairness to the parties, hardship to either party, and promoting the policies and purposes of this chapter, in addition to any written comments submitted by the hearing officer whose decision is being challenged. The Board may also review other material from the administrative record of the matter as it deems necessary. A vote of three (3) members shall be required in order for an appeal to be heard.

(4) Remand to Hearing Officer without Appeal Hearing.

In those cases where the Board is able to determine on the basis of the documents before it that the hearing officer has erred, the board may remand the case for further hearing in accordance with its instructions without conducting an appeal hearing. Both parties shall be notified as to the time of the re-hearing, which shall be conducted within thirty (30) days of remanding by the board. In those cases where the board is able to determine on the basis of the documents before it that the hearing officer's findings contain numerical or clerical inaccuracies, or require clarification, the board may continue the hearing for purposes of re-referring the case to said hearing officer in order to correct the findings.

(5) Time of Appeal Hearing: Notice to Parties. Appeals accepted by the board shall be heard within forty-five (45) days of the filing of an appeal. Within thirty (30) days of the filing of an appeal, both parties shall be notified in writing as to whether or not the appeal has been accepted. If the appeal has been accepted, the notice shall state the time of the hearing and the nature of the hearing. Such notice must be mailed at least ten (10) days prior to the hearing.

(6) Appeal Hearing: Decision of the Board. At the appeal hearing, both appellant and respondent shall have an opportunity to present oral testimony and written documents in support of their positions. After such hearing and after any further investigation which the board may deem necessary the board may, upon hearing the appeal, affirm, reverse or modify the hearing officer's decision or may remand the case for further hearing in accordance with its findings. The board's decision must be rendered within forty-five (45) days of the hearing and the parties must be notified of such decision.

(7) Notification of the Parties. In accordance with item (6) above, parties shall receive written notice of the decision. The notice shall state that this decision is final.

(8) Effective Date of Appeal Decisions. Appeal decisions are effective on the date mailed to the parties; provided, however, that that portion of any decision which orders payment, refund, offsetting or adding rent shall become effective thirty (30) calendar days after it is mailed to the parties unless a stay of execution is granted by a court of competent jurisdiction.

(9) Limitation of Actions. A landlord or tenant aggrieved by any decision of the Board must seek judicial review within ninety (90) calendar days of the date of mailing of the decision.

SEC. 37.10A. Misdemeanors.

It shall be unlawful for a landlord to increase rent or rents in violation of the decision of a hearing officer or the decision of the board on appeal pursuant to the hearing and appeal procedures set forth in Section 37.8 of this chapter. It shall further be unlawful for a landlord to charge an initial rent or any subsequent rent which exceeds the limitations of this chapter. Any person who increases rents in violation of such decisions or who charges excessive initial rents or excessive subsequent rents shall be guilty of a misdemeanor. Any person convicted of a misdemeanor hereunder shall be punishable by a fine of not more than $2,000.00 or by imprisonment in the County Jail for a period of not more than six (6) months, or by both. Each violation of the decision of a hearing officer or the decision of the board on appeal as set forth above shall constitute a separate offense.

SEC. 37.11A. Civil Actions.

Whenever a landlord fails to comply with the rent disclosure requirements of Section 37.3(e), charges a tenant a rent which exceeds the limitations set forth in this Chapter, or retaliates against a tenant for the exercise of any rights under this Chapter, the tenant may institute a civil proceeding for money damages. A tenant who has been charged an initial rent which exceeds the limitations set forth in Section 37.3(d) may, upon prevailing, recover money damages of up to three times actual damages and any other relief the court deems appropriate. The prevailing party in any civil action brought under this Section shall be entitled to recover reasonable attorneys' fees and costs. The remedy available under this Section shall be in addition to any other existing remedies which may be available to the tenant.

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

By: _____
Deputy City Attorney

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
	§	
May 28, 1991	§	June 3, 1991
	§	
	§	
Ayes: Supervisors Achtenberg Alioto	§	Ayes: Supervisors Achtenberg Alioto
Britt Hallinan Migden Shelley	§	Britt Hallinan Migden Shelley
Ward	§	Ward
	§	
Noes: Supervisors Gonzalez Hsieh	§	Noes: Supervisors Gonzalez Hsieh
Kennedy Maher	§	Kennedy Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
109-91-2

JUN 10 1991
June 10, 1991
Date Approved

Mayor

FILE NO. 15-90-7 ORDINANCE NO. 211-91

[Motor Vehicles for Hire]

AMENDING ARTICLE 16, PART II, OF THE SAN FRANCISCO MUNICIPAL CODE (POLICE CODE) BY MAKING FINDINGS AND AMENDING SECTION 1135.5 TO EXTEND THE TERMINATION DATE OF THE TEMPORARY FARE INCREASE FOR TAXICABS ENACTED BY ORDINANCE NO. 383-90.

NOTE: Additions are indicated by underlining;
deletions are indicated by ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. FINDINGS.

(1) By Ordinance No. 383-90, finally passed by the Board of Supervisors on November 19, 1990, and approved by the Mayor on November 21, 1990, the City and County of San Francisco imposed a temporary fare increase for taxicabs.

(2) The Board finds that the temporary fare increase needs to be extended for sixty days while the City and County further analyzes the need to impose long-term fare increases for taxicabs.

Section 2. Article 16, Part II, of the San Francisco Municipal Code (Police Code) is hereby amended by amending Section 1135.5 to read as follows:

SEC. 1135.5 TEMPORARY RATE INCREASE.

(a) Notwithstanding the provisions of Section 1135, the fare for the first one-sixth of a mile shall be increased by fifty cents to $1.90. All other provisions of Section 1135 shall remain in full force and effect. Notice of the fare increase approved by this ordinance shall be visibly and legibly posted during the effective period of this ordinance on the fare meter of each vehicle governed by this section.

(b) This fare increase shall expire the ((one-hundred eighty-first)) two-hundred forty-first day after its effective date.

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

By: BGW
Deputy City Attorney

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Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
	§	
June 3, 1991	§	June 10, 1991
	§	
	§	
Ayes: Supervisors Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Ward	§	Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward
	§	
Absent: Supervisors Achtenberg Shelley	§	Absent: Supervisors Britt
	§	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
15-90-7

JUN 10 1991

Date Approved

Mayor

FILE NO. 101-90-107 ORDINANCE NO. 212-91

RO #90282 SA #182

(Government Funding)

APPROPRIATING $266,500 FOR PROFESSIONAL SERVICES AND OTHER CONTRACTUAL SERVICES, CHIEF ADMINISTRATIVE OFFICER FOR FISCAL YEAR 1990-91.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1990-91 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
02-416	Neighborhood Beautification Fund		
Project 001-00	Neighborhood Beautification		
51-5121 (054999)	Business License Tax	$ 17,076	
51-5191 (054999)	Employers Payroll Tax	249,424	
10-1001 (420505)	Professional Services		$ 10,500
10-1090 (420505)	Other Contractual Services		256,000
	Total	$ 266,500	$ 266,500

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: Theodore P. Lolley
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

Howard Harrington
CONTROLLER

957-appadm/ch1/68

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
May 28, 1991	June 3, 1991
Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Migden Shelley Ward	Ayes: Supervisors Achtenberg Britt Gonzalez Hsieh Kennedy Maher Migden Ward
Absent: Supervisors Maher	Absent: Supervisors Alioto Hallinan Shelley

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 101-90-107

JUN 11 1991
Date Approved

Mayor

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JUN 26 1991

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5/22/91 - As amended in Committee.

FILE NO. 101-90-97 ORDINANCE NO. 213-91

RO #90257 SA #147

(Government Funding)

APPROPRIATING $2,590,309 FOR VARIOUS CAPITAL IMPROVEMENT PROJECT, MUNICIPAL RAILWAY FOR FISCAL YEAR 1990-91; PLACING $1,534,746 ON RESERVE.

5/22/91 jlb

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1990-91 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
31-510	Small Grants Projects Fund		
35-00-00	Municipal Railway		
91-9112 (045930)	Miscellaneous Revenues	$ 2,590,309	
Project 801-21	Offset Slot/Depression Beams		
20-2030 (350140)	Capital Improvement Project		$ 613,064
Project 801-31	Trackway Improvement-Pull Curves		
20-2030 (350140)	Capital Improvement Project		1,377,245
Project 801-32	Trackway Improvement - Barn Pull In/Out Gate		
20-2030 (350140)	Capital Improvement Project		200,000
Project 801-51	System Safety and Code Compliance Passenger Safety		
20-2030 (350140)	Capital Improvement Project		375,000
Project 801-52	System Safety and Code Compliance Industrial Safety		
20-2030 (350140)	Capital Improvement Project		25,000
	Total	$ 2,590,309	$ 2,590,309

5/22/91 jlb

Section 2. Funds in the amount of $1,534,746 are hereby placed on reserve for contractual services pending selection of firms, budget information, and MBE/WBE/LBE status, to be released by the Finance Committee.

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

CONTROLLER

957-appada/ch1/55

Board of Supervisors, San Francisco

Passed for Second Reading

May 28, 1991

Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward

Finally Passed

June 3, 1991

Ayes: Supervisors Achtenberg Britt Gonzalez Hsieh Kennedy Maher Migden Ward

Absent: Supervisors Alioto Hallinan Shelley

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 101-90-97

JUN 11 1991
Date Approved

Mayor

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JUN 26 1991

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FILE NO. 101-90-98 ORDINANCE NO. 214-91

RO #90258 SA #150

(Government Funding)

APPROPRIATING $300,000 FOR JUDGMENT AND CLAIMS, WATER DEPARTMENT FOR FISCAL YEAR 1990-91.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1990-91 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
32-001	Water Department Operating Fund		
47-00-00	Water Department		
G.L. 495 (024018)	Commitment from Fund Balance	$ 300,000	
14-1450 (387019)	Judgment and Claims		$ 300,000

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: _____
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

Edward Harrington
CONTROLLER

957-appropdu/ch1/55

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
May 28, 1991	June 3, 1991
Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Migden Shelley Ward	Ayes: Supervisors Achtenberg Britt Gonzalez Hsieh Kennedy Maher Migden Ward
Absent: Supervisors Maher	Absent: Supervisors Alioto Hallinan Shelley

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 101-90-98

JUN 11 1991
Date Approved

Mayor

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FILE NO. 101-90-100

ORDINANCE NO. 215-91

RO #90260 SA #166

(Government Funding)

APPROPRIATING $9,000,000 TO PURCHASE POWER FOR RESALE AND RESCINDING $9,000,000 FROM VARIOUS CAPITAL IMPROVEMENT PROJECTS, HETCH HETCHY FOR FISCAL YEAR 1990-91.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1990-91 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
33-001	Hetchy Hetchy Operating Fund		
Project 198-02	Transit Power Improvement		
20-2030 (336248)	Capital Improvement Project	$ 543,752	
Project 380-01	Hetchy Hetchy Buildings - Maintenance and Repairs		
20-2030 (336248)	Capital Improvement Project	197,498	
Project 383-01	O'Shaughnessy Camp Water Supply		
20-2030 (336248)	Capital Improvement Project	2,558	
Project 607-01	Priest Reservoir Diversion		
20-2030 (336248)	Capital Improvement Project	45,402	
Project 623-01	Trolley Overhead Program Rehabilitation		
20-2030 (336248)	Capital Improvement Project	738,915	
Project 630-01	Trolley Overhead Program Improvement		
20-2030 (336248)	Capital Improvement Project	62,469	
Project 638-01	O'Shaughnessy Dam Power Plant		
20-2030 (336248)	Capital Improvement Project	100,000	
Project 642-01	Trolley Overhead Program - A&B		
20-2030 (336248)	Capital Improvement Project	3,972	
Project 651-01	Kirkwood Powerhouse Addition		
20-2030 (336248)	Capital Improvement Project	359,266	
Project 657-01	Modify Cherry Valley Domestic Water Supply		
20-2030 (336248)	Capital Improvement Project	32,224	
Project 660-01	Tunnels/Pipelines-Moccasin to Alameda		
20-2030 (336248)	Capital Improvement Project	235,446	
Project 663-01	Repair/Replace-Hughts Leithold Water Lines		
20-2030 (336248)	Capital Improvement Project	160,716	
Project 693-01	Moccasin Creek Bypass Repair Interior Lining		
20-2030 (336248)	Capital Improvement Project	256,798	
Project 705-01	Repair/Replace Electrical Distribution System - Moccasin to West Portal		
20-2030 (336248)	Capital Improvement System	11,804	
Project 736-01	Replace Control Wiring Potrero and Presidio Yard		
20-2030 (336248)	Capital Improvement Project	26,964	
Project 742-01	Mountain Tunnel Flow Studies		
20-2030 (336248)	Capital Improvement Project	454	
Project 745-01	Replace Streetlight Yard		
20-2030 (336248)	Capital Improvement Project	1,201	
Project 750-01	Improve Van Ness Avenue Streetlight System		
20-2030 (336248)	Capital Improvement Project	426,934	
Project 769-01	Replace Underground Control - Market Street Lighting		
20-2030 (336248)	Capital Improvement Project	17,501	
Project 772-01	Moccasin Shop Master Plan Buildings		
20-2030 (336248)	Capital Improvement Project	884,376	
Project 802-01	Holm Powerhouse Slope Stabilization		
20-2030 (336248)	Capital Improvement Project	33,578	
Project 814-01	Moccasin Dam Safety Analysis		
20-2030 (336248)	Capital Improvement Project	558	

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DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
Project 816-01	Electronic Governor System		
20-2030 (336248)	Capital Improvement System	1,795,839	
Project 818-01	Transmission System Power Recorders		
20-2030 (336248)	Capital Improvement Project	1,803	
Project 821-01	Moccasin Tailrace Improvement		
20-2030 (336248)	Capital Improvement Project	226,514	
Project 822-01	Transmission Lines Study		
20-2030 (336248)	Capital Improvement Project	120,000	
Project 823-01	Accoustical Flow Meters		
20-2030 (336248)	Capital Improvement Project	110,144	
Project 828-01	Moccassin Powerhouse Static Excitation		
20-2030 (336248)	Capital Improvement Project	698,776	
Project 829-01	SCADA System Modifications		
20-2030 (336248)	Capital Improvement Project	1,018,109	
Project 830-01	O'Shaughnessy Cottage Rehabilitation		
20-2030 (336248)	Capital Improvement Project	334,698	
Project 834-01	Sand Trap Box - Canyon Tunnel		
20-2030 (336248)	Capital Improvement Project	4,676	
Project 846-01	Moccasin Penstock - Replace/add Study		
20-2030 (336248)	Capital Improvement Project	112,055	
Project 847-01	Kirkwood Penstock - Redrill Inclinometer		
20-2030 (336248)	Capital Improvement Project	135,000	
Project 852-01	Remote Data Acquisition and Control		
20-2030 (336248)	Capital Improvement Project	300,000	
18-1801 (336016)	Purchase Power For Resale		$ 9,000,000
	Total	$ 9,000,000	$ 9,000,000

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: _____
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

_____
CONTROLLER

957-supp.adm/ch1/58-60
BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading

May 28, 1991

Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Migden Shelley Ward

Absent: Supervisors Maher

Finally Passed

June 3, 1991

Ayes: Supervisors Achtenberg Britt Gonzalez Hsieh Kennedy Maher Migden Ward

Absent: Supervisors Alioto Hallinan Shelley

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

_____
Clerk

File No.
101-90-100

JUN 11 1991
Date Approved

_____
Mayor

FILE NO. 121-91-1 ORDINANCE NO. 216-91

(Fees)
AMENDING PART II, CHAPTER VIII, ARTICLE 24, OF THE SAN FRANCISCO MUNICIPAL CODE (POLICE CODE) BY AMENDING SECTION 2404.1 THEREOF INCREASING THE FEE FOR A STREET ARTIST CERTIFICATE.

Note: Additions are indicated by underlining; deletions are indicated by ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. Part II, Chapter VIII, Article 24, San Francisco Municipal Code (Police Code) is hereby amended by amending Section 2404.1 thereof to read as follows:

Section 2404.1. Street Artist Certificate: Fee. Pursuant to the provisions of Proposition K, adopted by the voters at an election held on November 8, 1983, the Board of Supervisors hereby establishes the fee for a Street Artist Certificate to be as follows: The fee for a Street Artist Certificate shall be ((~~$57.50~~)) $87.50 and said certificate shall be valid for a period of three months from the date of issuance; except that any person certified as a street artist pursuant to the provisions of this Article shall have the option of purchasing for ((~~$230~~)) $350 a certificate valid for a period of one year from the date of issuance.

APPROVED AS TO FORM:

LOUISE H. RENNE, CITY ATTORNEY

By Marian M Morley

Deputy City Attorney

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
June 3, 1991	§	June 10, 1991
Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Ward	§	Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward
Absent: Supervisors Shelley	§	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco.

John L. Taylor
Clerk

File No. 121-91-1

JUN 12 1991
Date Approved

Mayor

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JUN 26 1991
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5/22/91 - As amended in Committee.

FILE NO. 62-91-2

ORDINANCE NO. 217-91

(SECOND AMENDMENT TO LAKE MERCED BOATING AND FISHING LEASE)

APPROVING THE SECOND AMENDMENT TO THE LAKE MERCED BOATING AND FISHING LEASE WITH URBAN PARKS CONCESSIONAIRES.

Be it ordained by the People of the City and County of San Francisco:

Section 1. That certain lease between the Recreation and Park Commission, for and on behalf of the City and County of San Francisco and Urban Parks Concessionaires, for the purpose of operating a boating and fishing concession at Lake Merced, a copy of which agreement is on file in the office of the Clerk of the Board of Supervisors and to which reference is hereby made, is hereby amended as approved by Resolution #15912 of the Recreation and Park Commission as follows:

1. PARAGRAPH 31: ADJUSTMENT AND/OR WAIVER OF RENT shall be modified as follows:

The Third Paragraph added in the First Amendment to Lease dated May 18, 1989 shall be amended as follows:

Subsection (a) Line 13: Delete the words "three-month period" and replace with the words "six-month period".

Subsection (b): Delete this subsection in its entirety and replace with the following:

(b) (i) Minimum annual rental set forth in Paragraph 4 of the Lease shall be changed as follows:

Gross Revenues	Rent Due
$0.0 - $275,000	minimum annual rent of $5,000
$275,001-$300,000	1/2 payment of minimum annual rent vs. 12.5% on boat storage 7.5% on all other services and sales 5 % on food & non-alcoholic beverages for all sales from the first dollar.
$300,001-$400,000(*)	1/2 payment of minimum annual rent vs. 12.5% on boat storage 10% on boat rental 7.5% on all other services and sales 5 % on food & non-alcoholic beverages for all sales from $1 to $300,000, plus 25% on boat storage 20% on boat rental 15% on all other services and sales 10% on food & non-alcoholic beverages for all sales above $300,000.
$400,000(*) and above	full payment of minimum annual rent vs. 25% on boat storage 20% on boat rental 15% on all other services and sales 10% on food & non-alcoholic beverages for all sales from the first dollar.

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(*)In 1990 dollars.

(b) (ii) Lessee and Lessor agree that, in addition to the payment of minimum and percentage rent set forth in the schedule above, Lessee shall make a one-time payment for capital improvements in the amount of twenty thousand dollars ($20,000) if gross revenues in any lease year meet or exceed the present value of four hundred fifty thousand dollars ($450,000), fixed in 1990 dollars.

1. The Bureau of Labor Statistics Consumer Price Index, All Urban Consumers, San Francisco/Oakland/San Jose (1982-84 = 100) shall be used as the discount index to determine whether gross receipts in any year during the original or option term of the lease exceed either $400,000 or $450,000 in 1990 dollars; the base index shall be the average annual index for 1990.

2. The payment for capital improvements shall be made in the form of direct payment by Lessee for goods or services in an amount not to exceed $20,000, for capital improvements anywhere in the Lake Merced Tract at the direction of Lessor.

2. PARAGRAPH 10: MAINTENANCE AND REPAIRS BY LESSEE shall be amended by the addition of subparagraph (F) as follows:

F. Lessor agrees to cooperate in any reasonable manner with Lessee in an application for funding from California Boating and Waterways or any other source of grant or gift funding to be mutually agreed between Lessee and Lessor for preservation and/or redesign of fishing piers. Lessor agrees that Lessee's responsibility for maintenance and/or repair of piers shall be reduced in the amount of any such alternative funding so obtained.

3. PARAGRAPH 39: SUBLETTING/ASSIGNMENT shall be amended by the addition of the following sections:

(i) Lessee acknowledges that the terms of the Lease, as amended by this Second Amendment, are personal to Lessee, partially in consideration of its commitment to the development of the Fishing and Boating Concession at Lake Merced. Lessee agrees that this Lease as amended is not assignable by Lessee.

(ii) Lessee agrees that if any qualified concessionaire is willing and able to undertake the fishing and boating concession at Lake Merced and is willing and able to pay rent to Lessor in excess of that set forth in the Lease as amended, that Lessee shall either (a) pay rent to Lessor in the amount offered by such qualified concessionaire or (b) agree to assign this Lease to such qualified concessionaire. Lessee shall advise Lessor, in writing, within thirty calendar days from the date of postmark of a notice from Lessor that an offer to pay rent has been received from a qualified concessionaire, whether Lessee will pay rent or assign its Lease.

(iii) Lessee and Lessor agree that this Lease as amended is not assignable and that all of the provisions of the First Amendment to the Lake Merced Boating and Fishing Lease and all of the provisions of this Second Amendment to the Lake Merced Boating and Fishing Lease shall immediately become null and void upon assignment of the Lease.

4. Lessor and Lessee agree that all terms and conditions hereof shall be in full force and effect on the first day of the first month following approval of this Second Amendment by the San Francisco Board of Supervisors and execution of the approving ordinance by the Mayor of San Francisco.

RECOMMENDED:

Mary E. Burns, General Manager
Recreation and Park Department

Shauna Marie Rose, Secretary
Recreation and Park Commission

APPROVED AS TO FORM:
Louise H. Renne, City Attorney

Mara E. Rosales, Deputy City Attorney

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
May 28, 1991	June 3, 1991
Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Hsieh Kennedy Maher Shelley Ward	Ayes: Supervisors Achtenberg Britt Gonzalez Hsieh Kennedy Maher Migden Ward
Absent: Supervisors Britt Migden	Absent: Supervisors Alioto Hallinan Shelley

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
62-91-2

JUN 11 1991
Date Approved

Mayor

FILE NO. 91-91-32 ORDINANCE NO. 378-91

[Memberships in Organizations by City Departments]

AMENDING CHAPTER 16, ARTICLE I, OF THE SAN FRANCISCO ADMINISTRATIVE CODE BY AMENDING SECTION 16.6, ESTABLISHING PROCEDURES FOR THE MEMBERSHIP OF CITY AND COUNTY BOARDS, COMMISSIONS AND DEPARTMENTS IN CERTAIN ORGANIZATIONS, BY REQUIRING CITY BOARDS, COMMISSIONS AND DEPARTMENT HEADS TO SUBMIT TO THE MAYOR, THE CONTROLLER AND THE BOARD OF SUPERVISORS BY MAY 1 OF EACH YEAR A REPORT LISTING EACH AND EVERY ORGANIZATION IN WHICH THE BOARD, COMMISSION OR DEPARTMENT IS A MEMBER, THE COST TO BELONG, AND WHETHER THE COST IS INCLUDED IN THEIR APPROVED BUDGET; A LISTING OF EACH AND EVERY ORGANIZATION IN WHICH MEMBERSHIP HAS BEEN APPROVED BY THE BOARD; AND A LISTING FOR THE NEXT FISCAL YEAR OF EACH AND EVERY ORGANIZATION IN WHICH THE BOARD, COMMISSION OR DEPARTMENT WISHES TO BE A MEMBER, INCLUDING THE MEMBERSHIP COST.

Note: Additions or substitutions are underlined; deletions are in ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. Chapter 16, Article I, of the San Francisco Administrative Code is hereby amended by amending Section 16.6 thereof, to read as follows:

SEC. 16.6. REPRESENTATION OF CITY AND COUNTY IN CERTAIN ORGANIZATIONS -- MEMBERSHIPS IN ORGANIZATIONS AUTHORIZED -- ANNUAL REPORT OF MEMBERSHIPS TO THE MAYOR, CONTROLLER AND BOARD OF SUPERVISORS. In the interest and for the benefit of the City and County, the following departments and their duly authorized officers and employees are hereby authorized to acquire and maintain membership in organizations as hereinafter designated, and to

represent the City and County in such organizations((:)).

By May 1 of each year, each board, commission and department head of the City and County shall submit to the Mayor, the Controller, and the Board of Supervisors:

1. A listing of each and every organization of which the board, commission or department is a member, the cost, if any, for the City to belong to each of the listed organizations, and a statement as to whether the cost for each membership is included in their current fiscal year budget as approved by the Board of Supervisors.

2. A listing for the fiscal year in which the report is being prepared of each and every organization in which the board, commission or department's membership has been approved by the Board of Supervisors.

3. A listing for the next fiscal year of each and every organization in which the board, commission or department wishes to be a member, including a listing of the membership cost for each organization in which membership will be sought.

4. Any legislation necessary to amend the City's Administrative Code so that it will be consistent with the decisions of the Board.

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

By: Theodore R. Lakey
Deputy City Attorney

DOCUMENTS DEPT.
JUN 26 1991
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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
May 28, 1991	June 3, 1991
Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Hsieh Kennedy Maher Shelley Ward	Ayes: Supervisors Achtenberg Britt Gonzalez Hsieh Kennedy Maher Migden Ward
Absent: Supervisors Britt Migden	Absent: Supervisors Alioto Hallinan Shelley

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
97-91-32

JUN 11 1991
Date Approved

Mayor

FILE NO. 101-90-112 ORDINANCE NO. 219-91

RO #90289 SA #181

(Government Funding)

APPROPRIATING $228,614 FOR CAPITAL IMPROVEMENT PROJECT - 911 DISPATCH, PHASE I, POLICE DEPARTMENT FOR FISCAL YEAR 1990-91.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1990-91 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
01-001	General Fund		
GL 496 (000026)			
Subsidiary 000099	Capital Improvement Reserve	$228,614	
38 (580613)	Police Department		
20-2030	Program Project Budget		
01-001	911 Dispatch Center, Phase I		$228,614

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: Theodore R. Lakey
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

Edward Harrington
CONTROLLER

MAY 15 1991

957-appada/ch1/73

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
May 28, 1991	June 3, 1991
Ayes: Supervisors Achtenberg Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward	Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Ward
Noes: Supervisors Alioto	
Absent: Supervisors Britt	Absent: Supervisors Shelley

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
101-90-112

JUN 11 1991
Date Approved

Mayor

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JUN 26 1991
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(Stadium Operator Admission Tax)

AMENDING ARTICLE 11 OF PART III OF THE SAN FRANCISCO MUNICIPAL CODE (STADIUM OPERATOR ADMISSION TAX) BY ADDING SECTION 802A THERETO TO IMPOSE AN ADDITIONAL TEMPORARY ADMISSION TAX ON ANY OPERATOR OF ATHLETIC CONTESTS, EXHIBITIONS AND OTHER SPECIAL EVENTS BASED UPON THE PRICE OF EACH ADMISSION TICKET SOLD FOR THE RIGHT TO OCCUPY A SEAT OR SPACE IN ANY STADIUM WITHIN SAN FRANCISCO FOR SUCH EVENT; OPERATIVE DATE.

NOTE: Additional material is indicated by <u>underlining</u>; deletions are indicated by ((double parenthesis)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. Article 11 of Part III of the San Francisco Municipal Code (Stadium Operator Admission Tax) is hereby amended by adding Section 802A thereto, to read as follows:

SEC. 802A. TEMPORARY ADMISSION TAX.

(a) There is hereby imposed a temporary admission tax on any operator of athletic contests, exhibition and other special events based upon the price of each admission ticket sold for the right to occupy a seat or space in any stadium within the City and County of San Francisco for such event. The amount of the temporary admission tax shall be as follows: For tickets priced at $27.00 or more (including the admission tax under Section 802), the amount of the temporary admission tax shall be $0.75 per ticket; for tickets priced at less than $27.00 (including the admission tax under Section 802) the amount of the temporary tax shall be $0.25. This temporary admission tax shall be in addition to the admission tax under Section 802.

(b) The exemptions provided in Section 807 from the tax imposed by Section 802 shall likewise be exemptions from this stadium having a seating capacity of 25,000 or more, admission tickets sold at twelve dollars and ninety-nine cents ($12.99) or less shall not, for that reason alone, be exempt from this temporary admission tax.

(c) Notwithstanding anything to the contrary in Section 841, or any other provision of law, all monies collected pursuant to this temporary admission tax shall be deposited in the general fund, and shall not be earmarked for any special purpose whatsoever.

(d) For tickets to professional football games and professional baseball games, this temporary admission tax shall apply only to tickets for games during the 1992 season, and said tax shall expire after the 1992 season; for all other tickets, this temporary admission tax shall expire June 30, 1992. The temporary admission tax for tickets to professional games for the 1992 season shall be remitted to the City prior to July 1, 1992.

Section 2. This ordinance shall become effective upon passage, as provided in Section 2.304 of the Charter, provided, however, that the changes in fees and taxes set forth herein shall become operative on July 1, 1991, and shall not apply prior to said date, except that for tickets to professional football games and professional baseball games, the temporary admission tax shall commence with tickets for games during the 1991 season.

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

By JOHN J. DOHERTY
Deputy City Attorney

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JUN 26 1991
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Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
	§	
May 28, 1991	§	June 3, 1991
	§	
	§	
Ayes: Supervisors Achtenberg Alioto	§	Ayes: Supervisors Achtenberg Alioto
Britt Gonzalez Hallinan Hsieh	§	Britt Gonzalez Hallinan Hsieh
Kennedy Maher Migden Shelley Ward	§	Kennedy Maher Migden Ward
	§	
	§	Absent: Supervisors Shelley

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
127-91-4

JUN 11 1991
Date Approved

Mayor

FILE NO. 45-91-26

ORDINANCE NO. 221-91

RO #90269

[SETTLEMENT OF LAWSUIT]

AUTHORIZATION SETTLEMENT OF LITIGATION OF THOMAS F. EDEN, ET AL. V. CITY AND COUNTY OF SAN FRANCISCO FOR $165,000.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized to settle the action entitled "THOMAS F. EDEN V. CITY AND COUNTY OF SAN FRANCISCO," San Francisco Superior Court No. 903-201 by the payment of $165,000.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

ROBERT A. KENEALEY
Assistant Chief
Deputy City Attorney

RECOMMENDED:

DEPARTMENT OF SOCIAL SERVICES

JULIA LOPEZ
General Manager

APPROVED: In regular meeting of 4/25/91
SOCIAL SERVICES COMMISSION

LOUISE RAINY
Secretary

FUNDS AVAILABLE:

EDWARD HARRINGTON
Controller

01 001 97 09 45
309799 1450 $165,000.00

MAY 06 1991

1574w

April 8, 1991

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
June 3, 1991	June 10, 1991
Ayes: Supervisors Achtenberg Britt Gonzalez Hsieh Kennedy Maher Migden Ward	Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward
Absent: Supervisors Alioto Hallinan Shelley	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco.

Clerk

File No. 45-91-26

JUN 12 1991
Date Approved

Mayor

DOCUMENTS DEPT.

JUN 26 1991

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FILE NO. 45-91-27 ORDINANCE NO. 222-91

RO #90271

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF EMILY RAPAPORT AGAINST THE CITY AND COUNTY OF SAN FRANCISCO FOR $9,000.

Be it ordained by the People of the City and County of San Francisco:

Section I. The City Attorney is hereby authorized to settle the action entitled "EMILY RAPAPORT v. CITY AND COUNTY OF SAN FRANCISCO, et al.," Municipal Court No. 908-223, by the payment of $9,000.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

KIMBERLY A. REILEY
Chief Trial Deputy

RECOMMENDED:

RICHARD J. EVANS, Director
Department of Public Works

FUNDS AVAILABLE:

EDWARD M. HARRINGTON
Controller

01 001 97 09 90
309674 1450 $9,000.00

APPROVED:

RUDOLF NOTHENBERG
Chief Administrative Officer

MAY 06 1991

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
June 3, 1991	June 10, 1991
Ayes: Supervisors Achtenberg Britt Gonzalez Hsieh Kennedy Maher Migden Ward	Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward
Absent: Supervisors Alioto Hallinan Shelley	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 45-91-27

JUN 12 1991
Date Approved

Mayor

DOCUMENTS DEPT.

JUN 26 1991

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FILE NO. 45-91-28

ORDINANCE NO. 223-91

RO #90272

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF JANETH JONES and DENINE YALON ROBINSON AGAINST THE CITY AND COUNTY OF SAN FRANCISCO for $ 27,500.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized to settle the action entitled JANETH JONES and DENINE YALON ROBINSON v. CITY AND COUNTY OF SAN FRANCISCO, et al., U.S.D.C. NO. C89-1934 MHP, by the payment of $27,500.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

KIMBERLY A. REILEY
Chief Trial Deputy

RECOMMENDED:

SAN FRANCISCO POLICE DEPARTMENT

WILLIS CASEY, CHIEF OF POLICE

FUNDS AVAILABLE:

EDWARD M. HARRINGTON
CONTROLLER

01 001 97 09 38
309781 1450 $27,500.00

MAY 06 1991

APPROVED:

POLICE COMMISSION

SECRETARY

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
June 3, 1991	June 10, 1991
Ayes: Supervisors Achtenberg Britt Gonzalez Hsieh Kennedy Maher Migden Ward	Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward
Absent: Supervisors Alioto Hallinan Shelley	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 45-91-28

JUN 12 1991
Date Approved

Mayor

DOCUMENTS DEPT.

JUN 26 1991

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PUBLIC LIBRARY

FILE NO. 45-91-29 ORDINANCE NO. 224-91

RO #90278

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF LINDA LATNEY AGAINST THE CITY AND COUNTY OF SAN FRANCISCO for $7,500.00.

Be it ordained by the People of the City and County of San Francisco:

Section I. The City Attorney is hereby authorized to settle the action entitled "LINDA LATNEY v. CITY AND COUNTY OF SAN FRANCISCO, et al.," Superior Court No. 860-931, by the payment of $7,500.00.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

KIMBERLY A. REILEY
Chief Trial Deputy

RECOMMENDED:

RAYMOND BAXTER
Director

FUNDS AVAILABLE:

EDWARD M. HARRINGTON
Controller

01 001 97 09 86
309807 1450 $7,500.00

MAY 08 1991

APPROVED:

SECRETARY
Health Commission

6353N/lc/4

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
June 3, 1991	June 10, 1991
Ayes: Supervisors Achtenberg Britt Gonzalez Hsieh Kennedy Maher Migden Ward	Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward
Absent: Supervisors Alioto Hallinan Shelley	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 45-91-29

JUN 12 1991
Date Approved

Mayor

DOCUMENTS DEPT.

JUN 26 1991

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FILE NO. 97-91-31 ORDINANCE NO. 225-91

[MEDICAL EXAMINER-CORONER - OFFICIAL MEMBERSHIPS]

AMENDING CHAPTER 16, ARTICLE I OF THE SAN FRANCISCO ADMINISTRATIVE CODE, BY AMENDING SECTION 16.6-34 THEREOF TO DELETE ONE ORGANIZATION AND ADD TWO ORGANIZATIONS TO THE MEMBERSHIP LIST OF THE MEDICAL EXAMINER-CORONER.

NOTE: Deletions are indicated by ((double parentheses));
Additions are underlined

Be it ordained by the People of the City and County of San Francisco:

Section 1. The San Francisco Administrative Code is hereby amended by amending Section 16.6-34 thereof, to read as follows:

SEC. 16.6-34. REPRESENTATION OF CITY AND COUNTY IN CERTAIN ORGANIZATIONS -- MEDICAL EXAMINER-CORONER.

American Academy of Forensic Sciences (AAFS).

California State Coroners Assn.

((National Association of Coroners.))

National Association of Medical Examiners (NAME).

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

By: Theodore R. Lakey
Deputy City Attorney

CORONER/MEDICAL EXAMINER

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
June 3, 1991	June 10, 1991
Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Ward	Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward
Absent: Supervisors Shelley	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 97-91-31

JUN 12 1991
Date Approved

Mayor

DOCUMENTS DEPT.

JUN 26 1991

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PUBLIC LIBRARY

FILE NO. 101-90-1.2 ORDINANCE NO. 226-91

RO #90280

(ANNUAL APPROPRIAITON ORDINANCE)

AMENDING ORDINANCE 258-90 (ANNUAL APPROPRIATION ORDINANCE) BY ADDING SECTION 11.16 TO PROVIDE FOR THE APPROPRIATION OF CERTAIN INTEREST EARNINGS ON STATE AND FEDERAL FUNDS.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Ordinance Number 258-90 (Annual Appropriation Ordinance for 1990-91) is amended to add the following:

(This entire section is new.)

Section 11.16. Whenever the City and County earns interest on funds received from the State of California or the federal government and said interest is specifically required to be expended for the purpose for which the funds have been received, said interest is hereby appropriated in accordance with the terms under which the principal is received and appropriated.

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: _____
DEPUTY CITY ATTORNEY

RECOMMENDED:

Edward Harrington
CONTROLLER

WPPSPGEN 104/pg. 132

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
June 3, 1991	June 10, 1991
Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Ward	Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward
Absent: Supervisors Shelley	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John Taylor
Clerk

File No.
101-90-1.2

JUN 12 1991
Date Approved

Mayor

DOCUMENTS DEPT.

JUN 26 1991

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FILE NO. 101-90-102

ORDINANCE NO. 227-91

RO #90266 SA #162

(Government Funding)

APPROPRIATING $8,834 FOR PERMANENT SALARIES AND RELATED MANDATORY FRINGE BENEFITS, AGRICULTURE, WEIGHTS AND MEASURE FOR FISCAL YEAR 1990-91.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1990-91 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
01-001	General Fund		
60-6116 (041087)	Unclaimed Gas Tax - Agriculture	$ 8,834	
72-01-00	Agriculture		
01-0010 (422014)	Permanent Salaries		$ 6,302
04-0600 (422014)	Retirement		2,532
	Total	$ 8,834	$ 8,834

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: Theodore R. Lakey
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

Edward Harris
CONTROLLER

957-appropda/ch1/61

Board of Supervisors, San Francisco

Passed for Second Reading

June 3, 1991

Ayes: Supervisors Achtenberg Britt Gonzalez Hsieh Kennedy Maher Migden Ward

Absent: Supervisors Alioto Hallinan Shelley

Finally Passed

June 10, 1991

Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John Taylor
Clerk

File No. 101-90-102

JUN 12 1991
Date Approved

Mayor

DOCUMENTS DEPT.

JUN 26 1991

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Finance

5/29/91 - As amended in Committtee.

FILE NO. 101-90-103

ORDINANCE NO. 228-91

RO #90268 SA #168

(Government Funding)

APPROPRIATING $225,000 FOR MEDICAL SERVICES CONTRACT, PUBLIC HEALTH-DMSF FOR FISCAL YEAR 1990-91; PROVIDING FOR RATIFICATION OF ACTION PREVIOUSLY TAKEN.

5/29/91
jlb

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1990-91 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
01-001	General Fund		
G.L. 904 (000026)	Unappropriated Revenue Reserved		
Subsidiary 000054	Neighborhood Health Clinic Reserve	$ 225,000	
87-25-00	CMHS - Adult Acute		
10-1010 (730416)	Medical Services Contract		$ 225,000

Section 2. Although the City has incurred no legal obligation, the Board of Supervisors does hereby ratify the action previously taken.

5/29/91
jlb

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: Theodore R. Lakey
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

Edward Rewerts
CONTROLLER

957-appadm/ch1/612

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
June 3, 1991	June 10, 1991
Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Ward	Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward
Absent: Supervisors Shelley	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John Taylor
Clerk

File No.
101-90-103

JUN 12 1991
Date Approved

Mayor

DOCUMENTS DEPT.

JUN 26 1991

SAN FRANCISCO
PUBLIC LIBRARY

FILE NO. 101-90-113 ORDINANCE NO. 229-91

RO #90294 SA #186

(Government Funding)

APPROPRIATING $11,750 FOR MEDICAL SERVICE CONTRACTS, PUBLIC HEALTH FOR FISCAL YEAR 1990-91.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1990-91 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
01-001	General Fund		
G.L.904 (000026)	Unappropriated Revenue Reserved		
Subsidiary 000054	Neighborhood Health Clinic Reserve	$ 8,333	
Subsidiary 000066	Children and Foster Care Reserve	3,417	
83-02-01	Public Health - CPHS		
10-1010 (734285)	Medical Service Contract		$ 11,750
	Total	$ 11,750	$ 11,750

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: _____
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

Edward Harrington
CONTROLLER

957-appropdm/ch1/74

Board of Supervisors, San Francisco

Passed for Second Reading
June 3, 1991

Ayes: Supervisors Achtenberg Britt Gonzalez Hsieh Kennedy Maher Migden Ward

Absent: Supervisors Alioto Hallinan Shelley

Finally Passed
June 10, 1991

Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John Taylor
Clerk

File No.
101-90-113

JUN 12 1991
Date Approved

Mayor

DOCUMENTS DEPT.

JUN 26 1991

SAN FRANCISCO
PUBLIC LIBRARY

Amendment of the whole
5/14/91

File No. 115-91-6 Ordinance No. 230-91

[Zoning Map Change]

ADOPTING CHANGES IN PROPERTY USE CLASSIFICATION AS AN AMENDMENT TO THE ZONING MAP OF THE CITY AND COUNTY OF SAN FRANCISCO OF PROPERTY LOCATED AT 11 PHELAN AVENUE, NORTHWEST CORNER AT OCEAN AVENUE, A PORTION OF LOT 1, ASSESSOR'S BLOCK 3180 FROM A P (PUBLIC USE) DISTRICT TO AN NC-2 (SMALL-SCALE NEIGHBORHOOD COMMERCIAL) DISTRICT AND ADOPTING FINDINGS PURSUANT TO SECTION 101.1 OF THE PLANNING CODE.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Pursuant to resolution of the Board of Supervisors, adopting the final negative declaration as its own, and pursuant to Section 302(c) of the City Planning Code, Part II, Chapter II of the San Francisco Municipal Code, the following change in property use classification, duly approved by resolution of the City Planning Commission is hereby adopted as an amendment to the Zoning Map of the City and County of San Francisco.

Description of Property	Use District to be Superseded	Use District Hereby Approved
Beginning at the north end of the curve with a radius of 39.60 feet between the westerly line of Phelan Avenue and northerly line of Ocean Avenue as shown on Parcel 2 on Parcel Map of the Widening of Phelan and Ocean Avenues, filed February 15, 1954, in Map Book "R", page 56, in the office of the Recorder of the City and County of San Francisco; thence on said curve to the right, tangent to the westerly line of Phelan Avenue, with a radius of 39.60 feet through a central angle of 104° 52' 08", an arc length of 72.48 feet to the northerly line of Ocean Avenue, as widened; thence along said northerly line tangent to the proceeding curve 16.41 feet; thence deflecting to the right 76° 36' 57" 137.64 feet; thence deflecting to the left 92° 32' 39" 138.01 feet; thence deflecting to the left 88° 56' 26" 99.35 feet to a point on the northerly line of Ocean Avenue; thence deflecting to the right along said northerly line 104° 52' 08" 265.40 feet; thence deflecting to the right along said northerly line 0° 26' 04" 48.44 to the southeast corner of the parcel described in Deed from City and County of San Francisco to Safeway Stores Inc., a corporation, recorded June 2, 1954, in Book 6386, Page 412, Official Records; thence deflecting 90° to the right along the easterly line of said Safeway Stores parcel and its prolongation 171.18 feet; thence deflecting to the right 74° 18' 59" 378.28 feet; thence deflecting to the left 9° 28' 25" 81.04 feet to the westerly line of Phelan Avenue; thence deflecting to the right 99° 51' 14" along said westerly line 264.00 feet to the Point of Beginning; being a portion of Lot 1 in Assessor's Block 3180; and adjacent street areas to their centerline as designated on Sectional Map No. 12 of the Zoning Map.	P	NC-2

Section 2. Pursuant to Section 101.1 of the Code, this Board of Supervisors adopts City Planning Commission Resolution No. 13042 approving findings related to the Eight Priority Policies of Section 101.1 of the Planning Code.

APPROVED AS TO FORM:
LOUISE RENNE, CITY ATTORNEY

By _____
Deputy City Attorney

RECOMMENDED:
CITY PLANNING COMMISSION

By _____
for Dean L. Macris
Director of Planning

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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
June 3, 1991	June 10, 1991
Ayes: Supervisors Achtenberg Alioto Hallinan Kennedy Migden Ward	Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Kennedy Migden Shelley Ward
Noes: Supervisors Britt Hsieh Maher	Noes: Supervisors Hsieh Maher
Absent: Supervisors Gonzalez Shelley	Absent: Supervisors Britt

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
115-91-6

JUN 1 2 1991
Date Approved

Mayor

FILE NO. 127-91-5
(Person Obligated to Pay Tax)

ORDINANCE NO. 231-91

AMENDING ARTICLES 7, 9, 12-A, AND 12-B OF PART III OF THE SAN FRANCISCO MUNICIPAL CODE BY AMENDING SECTIONS 501(a), 601(a), 902.7, AND 1002.8 RELATING TO THE DEFINITION OF PERSONS OBLIGATED TO FILE CITY TAX RETURNS AND PAY TAX.

Note: Additions are underscored, deletions are indicated by ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. Part III, Article 7 (Tax on Transient Occupancy), of the San Francisco Municipal Code is hereby amended by amending subsection (a) of Section 501 to read as follows:

(a) "Person." An individual, firm, partnership, joint venture, association, social club, fraternal organization, joint stock company, corporation, estate, trust, business trust, receiver, trustee, syndicate, or any other group or combination acting as a unit: excepting the United States of America, the State of California, and any political subdivision of either thereof upon which the City and County is without power to impose the tax herein provided. Whenever the term "person" is used in any clause in this ordinance imposing either a tax liability or a penalty for failure to perform any act mandated by this Article, such term shall include any natural person who as an individual or with a spouse owns 50% or more of the capital stock of a corporation obligated to file returns and pay tax as an "operator" pursuant to this ordinance; and in addition, is a person with the power to control the fiscal decision-making process by which the corporation allocates funds to creditors in preference to its tax obligations under the provisions of this ordinance. A "person" as defined herein, who is also an officer or director of a corporation obligated to file returns and pay tax as an "operator" pursuant to this ordinance shall be presumed to be a person with the power to control said corporate operator's fiscal decision-making processes.

Section 2. Part III, Article 9 (Parking Tax), of the San Francisco Municipal Code is hereby amended by amending subsection (a) of section 601 to read as follows:

(a) "Person." A natural person, receiver, administrator, executor, assignee, trustee in bankruptcy, trust, estate, firm, copartnership, joint venture, club, company, joint stock company, business trust, municipal corporation, the State of California, any political subdivision of the State of California, the United States, any instrumentality of the United States, domestic or foreign corporation, association, syndicate, society, or any group of individuals acting as a unit, whether mutual, cooperative, fraternal, nonprofit or otherwise. Whenever the term "person" is used in any clause ((prescribing and imposing a penalty, the term as applied to business entities shall mean the officers thereof.)) in this ordinance imposing either tax liability or a penalty for failure to perform any act mandated by this Article, such term shall include any natural person who as an individual or with a spouse owns 50% or more of the capital stock of a corporation obligated to file returns and pay tax as an "operator" pursuant to this ordinance, and in addition, is a person with the power to control the fiscal decision-making process by which the corporation allocates funds to

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creditors in preference to its tax obligations under the provisions of this ordinance. A "person" as defined herein, who is also an officer or director of a corporation obligated to file returns and pay tax as an "operator" pursuant to this ordinance shall be presumed to be a person with the power to control said corporate "operator's" fiscal decision-making processes.

Section 3. Part III, Article 12-A (Payroll Expense Tax Ordinance), of the San Francisco Municipal Code is hereby amended by amending section 902.7 to read as follows:

(a) "Person." The term "person" shall mean any natural person, receiver, administrator, executor, assignee, trustee in bankruptcy, trust, estate, firm, co-partnership, joint venture, club, company, joint stock company, business trust, municipal corporation, political subdivision of the State of California, domestic or foreign corporation, association, syndicate, society, or any group of individuals acting as a unit, whether mutual, cooperative, fraternal, nonprofit, or otherwise, the United States or any instrumentality thereof, and any natural person, who as an individual or with a spouse, owns ((51)) 50 percent or more of the capital stock of a corporation obligated to file a return and pay tax pursuant to this ordinance; and in addition, is a person with the power to control the fiscal decision-making process by which the corporation allocates funds to creditors in preference to its tax obligations under the provisions of this ordinance. A person as defined herein, who is also an officer or director of a corporation obligated to file returns and

pay tax pursuant to this ordinance, shall be presumed to be a person with the power to control ((the)) its fiscal decision-making process. Whenever the term "person" is used in any clause prescribing and imposing a penalty, the term as applied to associations shall mean the owners or part owners thereof, and as applied to corporations, the officers thereof.

Section 4. Part III, Article 12-B (Business Tax Ordinance), of the San Francisco Municipal Code is hereby amended by amending section 1002.8 to read as follows:

(a) "Person." The term "person" shall mean any individual, receiver, administrator, executor, assignee, trustee in bankruptcy, trust, estate, firm, copartnership, joint venture, club, company, joint stock company, business trust, municipal corporation, political subdivision of the State of California, domestic or foreign corporation, association, syndicate, society or any group of individuals acting as a unit, whether mutual, cooperative, fraternal, nonprofit, or otherwise, the United States or any instrumentality thereof, and any natural person who as an individual or with a spouse, owns ((51)) 50 percent or more of the capital stock of a corporation obligated to file returns and pay tax pursuant to this ordinance, and in addition, is a person with the power to control the fiscal decision-making process by which the corporation allocates funds to creditors in preference to its tax obligations under the provisions of this ordinance. A "person" as defined herein, who is also an officer or director of a corporation obligated to file returns and

pay tax pursuant to this ordinance shall be presumed to be a person with the power to control ((the)) <u>its</u> fiscal decision-making process. Whenever the term "person" is used in any clause prescribing and imposing a penalty, the term as applied to associations shall mean the owners or part-owners thereof, and as applied to corporations, the officers thereof.

RECOMMENDED BY:

Thad Brown
Tax Collector

APPROVED BY:

Mary I. Callanan
Treasurer

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By
Deputy City Attorney

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
June 3, 1991	§	June 10, 1991
Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Ward	§	Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward
Absent: Supervisors Shelley	§	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
127-91-5

JUN 12 1991
Date Approved

Mayor

FILE NO. 127-91-6 ORDINANCE NO. 232-91

(Tax Lien)

AMENDING ARTICLES 7, 9, 12-A, AND 12-B OF PART III OF THE SAN FRANCISCO MUNICIPAL CODE BY AMENDING SECTIONS 514(c), 614(c), 914 AND 1014, TO PROVIDE FOR FILING OF TAX LIENS TO SECURE THE PAYMENT OF DELINQUENT HOTEL, PARKING, PAYROLL, AND BUSINESS TAXES.

Note: Additions are underscored; deletions are indicated by ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. Part III, Article 7 of the San Francisco Municipal Code (Tax on Transient Occupancy) is hereby amended by amending subsection (c) of Section 514 to read as follows:

(c) Action for Taxes; Time for ((.)); Remedies. (1) the Tax Collector may bring an action in the courts of this State or any other ((State)) state, or of the District of Columbia, or of the United States and its territories or possessions, or any other forum where permitted by local law to recover in the name of the City and County of San Francisco any amount of taxes finally assessed under this article and remaining unpaid, together with penalties and interest, ((that are found to be due under the provisions of this Article.)) In prosecuting such actions, the Tax Collector shall be entitled to all of the provisional remedies provided in the California Code of Civil Procedure, including, but not limited to, prejudgment attachment. Any such action shall be commenced within three years from the date any assessment of any additional tax becomes final or within three years from the date the return is filed, whichever period expires ((the)) later; provided, however, that there shall be no limitation on the time in which such actions shall be commenced in cases of fraud, intent to evade this Article, or failure to make a return.

(2) When the assessment of any additional tax becomes final and remains unpaid, the Tax Collector may record a tax lien with the County Recorder, thereby creating a tax lien on all of the assessee's property and rights to property, including realty, personalty, or intangibles. The tax lien shall identify the Tax Collector as the lienor, the property subject to the lien, and the amount of the lien. Simultaneously with the recording, a copy of the tax lien shall be sent by registered or certified mail to the assessee at the assessee's last known address as contained in the Tax Collector records. This remedy and any other remedies for collection of any taxes imposed by this ordinance, together with all interest and penalties thereof, are cumulative and may be pursued alternatively and consecutively as the Tax Collector determines.

Section 2. Part III, Article 9 of the San Francisco Municipal Code (Parking Tax) is hereby amended by amending subsection (c) of Section 614 to read as follows:

(c) Action for Taxes; Time for ((.)); Remedies. (1) The Tax Collector may bring an action in the ((Courts)) courts of this State or any other ((State)) state, or of the District of Columbia, or of the United States and its territories or possessions, or any other forum where permitted by local law to recover in the name of the City and County of San Francisco any amount of taxes finally assessed under this article and remaining unpaid, together with penalties and interest, ((that are found to be due under the provisions of this Article.)) In prosecuting such actions, the Tax Collector shall be entitled to all of the provisional remedies provided in the California Code of Civil Procedure, including, but not limited to, prejudgment attachment. Any such action shall be commenced within three years from the date any assessment of any additional tax becomes final or within three years from the date the return is filed, whichever period expires ((the)) later; provided, however, that there shall be no limitation on the time in

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which such actions shall be commenced in cases of fraud, intent to evade this Article, or failure to make a return.

(2) When the assessment of any additional tax becomes final and remains unpaid, the Tax Collector may record a tax lien with the County Recorder, thereby creating a tax lien on all of the assessee's property and rights to property, including realty, personalty, or intangibles. The tax lien shall identify the Tax Collector as the lienor, the property subject to the lien, and the amount of the lien. Simultaneously with the recording, a copy of the tax lien shall be sent by registered or certified mail to the assessee at the assessee's last known address as contained in the Tax Collector's records. This remedy and any other remedies for collection of any taxes imposed by this ordinance, together with all interest and penalties thereof, are cumulative and may be pursued alternatively and consecutively as the Tax Collector determines.

Section 3. Part III, Article 12-A of the San Francisco Municipal Code (Payroll Expense Tax Ordinance) is hereby amended by amending Section 914 to read as follows:

SEC. 914. ((Enforcement.)) Action For Tax: Time For: Remedies. (a) ((All taxes imposed by this ordinance, together with all interest and penalties, shall be recoverable by the City and County as other debts of like amount are recoverable.)) The Tax Collector may bring an action in the courts of this State, or any other state, or of the District of Columbia, or of the United States and its territories or possessions, or any other forum where permitted by local law to recover in the name of the city and county of San Francisco any amount of taxes finally assessed under this article and remaining unpaid, together with penalties and interest. In prosecuting such actions, the Tax Collector shall be

entitled to all of the provisional remedies provided in the California Code of Civil Procedure, including, but not limited to, prejudgment attachment. Any such action shall be commenced within three years from the date any assessment of any additional tax becomes final or within three years from the date the return is filed, whichever period expires ((the)) later; provided, however, that there shall be no limitation on the time in which such actions shall be commenced in cases of fraud, intent to evade this Article, or failure to make a return. ((The Tax Collector may bring an action in the courts of this State, or any other state, or of the District of Columbia, or of the United States and its territories and possessions in the name of the city and County of San Francisco to collect the amount delinquent, together with penalties and interest.))

(b) When the assessment of any additional tax becomes final and remains unpaid, the Tax Collector may record a tax lien with the County Recorder, thereby creating a tax lien on all of the assessee's property and rights to property, including realty, personalty, or intangibles. The tax lien shall identify the Tax Collector as the lienor, the property subject to the lien, and the amount of the lien. Simultaneously with the recording, a copy of the tax lien shall be sent by registered or certified mail to the assessee at the assessee's last known address as contained in the Tax Collector records. This remedy and any other remedies for collection of any taxes imposed by this ordinance, together with all interest and penalties thereof, are cumulative and may be pursued alternatively and consecutively as the Tax Collector determines.

///

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Section 4. Part III, Article 12-B of the San Francisco Municipal Code (Revenue and Finance and Business Regulations Code) is hereby amended by amending Section 1014 to read as follows:

SEC. 1014. Action For Tax: Time for ((.)); Remedies. (a) ((All taxes imposed by this ordinance, together with all interest and penalties, shall be recoverable by the City and County as other debts of like amount are recoverable.)) The Tax Collector may bring an action in the courts of this State, or any other state, or of the District of Columbia, or of the United States and its territories or possessions, or any other forum where permitted by local law to recover in the name of the City and County of San Francisco any amount of taxes finally assessed under this article and remaining unpaid, together with penalties and interest. In prosecuting such actions, the Tax Collector shall be entitled to all of the provisional remedies provided in the California Code of Civil Procedure, including, but not limited to, prejudgment attachment. Any such action shall be commenced within three years from the date any assessment of any additional tax becomes final or within three years from the date the return is filed, whichever period expires ((the)) later; provided, however, that there shall be no limitation on the time in which such actions shall be commenced in cases of fraud, intent to evade this Article, or failure to make a return. ((The Tax Collector may bring an action in the courts of this State, or any other state, or of the District of Columbia, or of the United States and its territories and possessions in the name of the City and County of San Francisco to collect the amount delinquent, together with penalties and interest.))

///

///

(b) When the assessment of any additional tax becomes final and remains unpaid, the Tax Collector may record a tax lien with the County Recorder, thereby creating a tax lien on all of the assessee's property and rights to property, including realty, personalty, or intangibles. The tax lien shall identify the Tax Collector as the lienor, the property subject to the lien, and the amount of the lien. Simultaneously with the recording, a copy of the tax lien shall be sent by registered or certified mail to the assessee at the assessee's last known address as contained in the Tax Collector records. This remedy and any other remedies for collection of any taxes imposed by this ordinance, together with all interest and penalties thereof, are cumulative and may be pursued alternatively and consecutively as the Tax Collector determines.

RECOMMENDED BY:

THAD BROWN
Tax Collector

APPROVED BY:

MARY Y. CALLANAN
Treasurer

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By: _____
Deputy City Attorney

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
	§	
June 3, 1991	§	June 10, 1991
	§	
	§	
Ayes: Supervisors Achtenberg Alioto	§	Ayes: Supervisors Achtenberg Alioto
Britt Gonzalez Hallinan Hsieh	§	Britt Gonzalez Hallinan Hsieh
Kennedy Maher Migden Ward	§	Kennedy Maher Migden Shelley Ward
	§	
Absent: Supervisors Shelley	§	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
127-91-6

JUN 12 1991
Date Approved

Mayor

FILE NO. 166-91-1 ORDINANCE NO. 233-91

AUTHORIZING THE TAX COLLECTOR TO ACCEPT PARTIAL PAYMENT OF DELINQUENT UNSECURED PERSONAL PROPERTY TAXES IN THE MANNER PROVIDED BY STATE LAW.

Note: This Section is New.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The Tax Collector of the City and County of San Francisco is hereby authorized to accept partial payments of any delinquent unsecured personal property tax assessment whenever the Tax Collector determines that collection of any tax through installment payments will promote the collection of the maximum amount of tax within the financial circumstances of the assessee or such collection will be in compliance with any law or court order in effect at the time payment of the delinquent tax is being made. The Tax Collector is further authorized to apply all partial payments collected pursuant to this ordinance in the manner provided by section 2927.6 of the California Revenue & Taxation Code.

Section 2. No provision in this ordinance shall be construed to require the Tax Collector to consent to the payment of any delinquent tax by means of partial payments or installment payments except when acting pursuant to express provision of state law or the Tax Collector is ordered to accept partial payment of delinquent taxes by order of a court of competent jurisdiction.

RECOMMENDED BY:

Thad Brown
Tax Collector

APPROVED BY:

Mary I. Callanan
Treasurer

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
June 3, 1991	June 10, 1991
Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Ward	Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward
Absent: Supervisors Shelley	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 166-91-1

JUN 12 1991
Date Approved

Mayor

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[Placement of Cigarette Vending Machines]

AMENDING PART II, CHAPTER V OF THE SAN FRANCISCO MUNICIPAL CODE (HEALTH CODE) BY ADDING ARTICLE 19D THERETO, PROHIBITING THE PLACEMENT OF CIGARETTE VENDING MACHINES IN THE CITY AND COUNTY OF SAN FRANCISCO EXCEPT IN PLACES TO WHICH MINORS HAVE NO ACCESS

NOTE: Entire Article is new.

Be it ordained by the People of the City and County of San Francisco:

Part II, Chapter V of the San Francisco Municipal Code (Health Code) is hereby amended by adding Article 19D thereto, to read as follows:

ARTICLE 19D

PROHIBITING CIGARETTE VENDING MACHINES EXCEPT IN PLACES TO WHICH MINORS HAVE NO ACCESS

Sec. 1009. Definitions.
Sec. 1009.1. Prohibition of Cigarette Vending Machines Except in Places to Which Minors Have No Access.
Sec. 1009.2. Disclaimers.
Sec. 1009.3. Penalties and Enforcement.
Sec. 1009.4. Severability.

SEC. 1009. DEFINITIONS. Unless the term is specifically defined in this Article or the contrary stated or clearly appears from the context, the definitions set forth in Article 19, Section 1002 of this Code, shall govern the interpretation of this Article.

(a) "Cigarette vending machine" shall mean any electronic or mechanical device or appliance the operation of which depends upon the insertion of money, whether in coin or paper bill, or

other thing representative of value, which dispenses or releases a tobacco product and/or tobacco accessories.

(b) "Tobacco product" shall mean any substance containing tobacco leaf, including but not limited to cigarettes, cigars, pipe, tobacco, snuff, chewing tobacco, and dipping tobacco.

(c) "Tobacco accessories" shall mean cigarette papers or wrappers, pipes, holders of smoking materials of all types, cigarette rolling machines, and any other item designed primarily for the smoking or ingestion of tobacco products.

(d) A "six-month owner" shall mean a person who purchased a cigarette vending machine fewer than six (6) months prior to the effective date of this Article for the purpose of using the vending machine to sell or distribute tobacco products exclusively within the City and County of San Francisco and who on the effective date of this Article was using the vending machine in an area accessible to minors and who has not, or will not have, recovered his, her or its investment therein by the date on which discontinuance of use is required pursuant to Section 1009.1(b).

SEC. 1009.1. PROHIBITION OF CIGARETTE VENDING MACHINES EXCEPT IN PLACES TO WHICH MINORS HAVE NO ACCESS. (a) No person shall locate, install, keep, maintain or use, or permit the location, installation, keeping, maintenance or use on his, her or its premises of any cigarette vending machine used or intended to be used for the purpose of selling or distributing any tobacco products or tobacco accessories therefrom unless access to the premises by persons under eighteen (18) years of age is prohibited by law.

(b) Any cigarette vending machine in use on the effective

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date of this Article on premises to which minors have access shall be removed within ninety (90) days after the effective date of this Article.

(c) A six-month owner may apply to the Director of Public Health for a use extension based on financial hardship. A use extension shall be granted to a six-month owner if the Director of Public Health, or the Director's designee appointed to consider the application, makes all of the following findings:

1. That the vending machine was intended for use only within the corporate limits of the City and County of San Francisco and had been in use in an area accessible to minors on the effective date of this Article;

2. That the vending machine owner had owned the machine for less than six (6) months prior to the effective date of this ordinance.

3. That the vending machine owner has not, or will not have recovered his, her or its investment therein before the date of required discontinuance;

4. That the vending machine owner has no practical way to recover the investment in the machine other than its continued use within the corporate limits of the City and County of San Francisco on premises accessible to minors;

5. That the investment not yet recovered exceeds ten percent (10%) of the actual cost of the machine; and

6. That the vending machine will be placed in a location on the premises easily viewed and supervised by the owner or a responsible employee.

The length of the use extension shall not exceed that additional time period necessary to allow recovery of the owner's investment; provided, however, that no use extension shall be granted which allows the total time during which the machine will be in use within the corporate limits of the City and County of San Francisco in an area accessible to minors to exceed one (1) year from the date of installation of the machine. The cigarette vending machine owner shall bear the burden of proof on each issue. The decision of the Director of Public Health, or the

Director's designee, shall be final. The Director's power to grant a use extension shall expire six (6) months after the effective date of this Article.

SEC. 1009.2. DISCLAIMERS. By prohibiting cigarette vending machines except in places to which minors have no access, the City and County of San Francisco is assuming an undertaking only to promote the general welfare. It is not assuming, nor is it imposing on its officers and employees, an obligation for breach of which it is liable in money damages to any person who claims that such breach proximately caused injury.

SEC. 1009.3. PENALTIES AND ENFORCEMENT. (a) The Director of Public Health shall enforce Section 1009.1 hereof against violations by any of the following actions:

(1) Receiving complaints relating to violations of this article.

(2) Acting upon complaints relating to violations of this article by either:

(a) Serving notice requiring the correction of any violation of this Article.

(b) Calling upon the City Attorney to maintain an action for injunction to enforce the provisions of this Article, to cause the correction of any such violation, and for assessment and recovery of a civil penalty for such violation.

(b) Any person who violates or refuses to comply with the provisions of this Article shall be liable for a civil penalty of $100, which penalty shall be assessed and recovered in a civil action brought in the name of the People of the City and County of San Francisco in any court of competent jurisdiction. Each

day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such. Any penalty assessed and recovered in an action brought pursuant to this paragraph shall be paid to the Treasurer of the City and County of San Francisco.

(c) Any person who violates or refuses to comply with the provisions of this Article shall be guilty of an infraction, and shall be deemed guilty of a separate offense for every day such violation or refusal shall continue. Every violation is punishable by (1) a fine of at least $25 but not exceeding $100 for a first violation; (2) a fine of at least $100 but not exceeding $200 for a second violation within one year; (3) a fine of at least $200 but not exceeding $500 for each additional violation within one year.

SEC. 1009.4. SEVERABILITY. If any provision of this Article, or the application of any such provision to any person or circumstances, shall be held invalid, the remainder of this Article, to the extent it can be given effect, or the application of those provisions to persons or circumstances other than those to which it is held invalid, shall not be affected thereby, and to this end the provisions of this Article are severable.

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

By: Theodore R. Lakey
Deputy City Attorney

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
June 3, 1991	June 10, 1991
Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Ward	Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward
Absent: Supervisors Shelley	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
118-91-5

JUN 18 1991
Date Approved

Mayor

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JUL 2 1991

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6/5/91 - As amended in Committee.

FILE NO. 101-90-109

ORDINANCE NO. 235-91

RO #90284 SA #179

(Government Funding)

6/5/91 jlb APPROPRIATING ~~$83,898~~ $66,674 FOR ~~PERMANENT SALARIES, TEMPORARY SALARIES, RELATED~~

6/5/91 jlb ~~MANDATORY FRINGE BENEFITS,~~ OTHER CONTRACTUAL SERVICES, TRAVEL, TELEPHONE,

MATERIALS AND SUPPLIES, RENTAL OF PROPERTY, EQUIPMENT PURCHASE, DATA PROCESSING

EQUIPMENT, EQUIPMENT LEASE/PURCHASE AND SERVICES OF OTHER DEPARTMENTS - REAL

6/5/91 jlb ESTATE, ~~FOR THE CREATION OF ONE (1) POSITION~~, PUBLIC HEALTH FOR FISCAL YEAR

6/5/91 jlb 1990-91, ~~PLACING $46,599 ON RESERVE, PENDING EIPSC APPROVAL.~~

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1990-91 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
02-062	Special Revenue Fund - EMS (SB12)		
83-01-20	Emergency Medical Service		
53-5301 (051789)	Traffic Fines - Parking	$ 66,674 ~~$ 83,898~~	
~~Project 007-21~~	~~EMS - Personnel~~		
~~01-0010 (733659)~~	~~Permanent Salaries~~		~~$ 4,865~~
~~04-0600~~	~~Retirement~~		~~730~~
~~04-0606~~	~~Social Security~~		~~302~~
~~04-0607~~	~~Social Security - Medicare~~		~~70~~
~~04-0610~~	~~Health Service~~		~~164~~
~~04-0630~~	~~Unemployment Insurance~~		~~5~~
	~~Total - EMS - Personnel~~		~~$ 6,136~~
~~Project 007-11~~	~~EMS - Administration~~		
~~02-0200 (733659)~~	~~Temporary Salaries~~		~~$ 1,275~~
~~04-0607~~	~~Social Security - Medicare~~		~~18~~
~~04-0610~~	~~Health Service~~		~~164~~
~~04-0630~~	~~Unemployment Insurance~~		~~1~~
	~~Total - EMS - Administration~~		~~$ 1,458~~
~~Project 007-14~~	~~EMS - Contractual Services~~		
10-1090 (33659)	Other Contractual Services		$ 2,570
10-1120	Travel		1,574 ~~4,595~~
10-1230	Telephone		3,521 ~~5,025~~
10-1460	Rental of Property		-0- ~~5,105~~
	Total - EMS - Contractual Services		7,665 ~~$ 17,295~~
Project 007-15	EMS - Materials and Supplies		
11-1300	Materials and Supplies		$ 9,310
Project 007-16	EMS - Equipment		
22-2200 (733659)	Equipment Purchase		3,865
22-2230	Data Processing Equipment		37,584
22-2310	Equipment Lease/Purchase		5,150
	Total - EMS - Equipment		$ 46,599
Project 007-17	EMS - Services of Other Departments		
30-30303 (733659)	Services of Other Departments		
	Real Estate		$ 3,100
	Grand Total		$66,674 ~~$ 83,898~~

6/5/91 jlb

~~Section 2. Funds are hereby appropriated for one (1) position created by amendment to the Annual Salary Ordinance (Board of Supervisors) File No. _____ as follows:~~

~~FUND: SPECIAL REVENUE FUND~~
~~DEPARTMENT: PUBLIC HEALTH~~
~~CLASSIFICATION: RATE CREATED~~

~~2533 N EMS Agency Specialist $1,765 B 2,145 1~~

6/5/91 jlb

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6/5/91
jlb

~~Section 3. Fund for $46,599 are hereby placed in reserve pending EIPSC approval and are to be released by the Finance Committee.~~

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: Theodore R. Lakey
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

Edward Harrington
CONTROLLER

MAY 15 1991

CIVIL SERVICE COMMISSION:

BY: John Jelcich
GENERAL MANAGER, PERSONNEL

957-appeals(ch1/69-71

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
June 10, 1991	June 17, 1991
Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward	Ayes: Supervisors Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Shelley Ward
Absent: Supervisors Britt	Absent: Supervisors Achtenberg Migden

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John Taylor
Clerk

File No.
101-90-109

JUN 19 1991
Date Approved

Mayor

Amendment of the Whole 6/3/91

FILE NO. 97-91-29

ORDINANCE NO. 234-91

AMENDING SECTION 16.157, SAN FRANCISCO ADMINISTRATIVE CODE, APPROVING HEALTH SERVICE SYSTEM PLANS AND RATES OF CONTRIBUTIONS, AS ADOPTED BY THE HEALTH SERVICE BOARD.

Be it ordained by the people of the City and County of San Francisco:

Section 1. The San Francisco Administrative Code is hereby amended by amending Section 16.157 to read as follows:

Section 16.157. HEALTH SERVICE SYSTEM: Changes

Changes in contribution rates adopted by the Health Service Board, as respects the plans of the Health Service System, to become effective on July 1, ((1990)) 1991, for the fiscal year July 1, ((1990)) 1991 through June 30, ((1991)) 1992 approved in Health Service Board Resolutions numbered 90-05 and 90-07, which ((changes)) resolutions are on file with the Clerk of the Board of Supervisors, are hereby approved.

APPROVED AS TO FROM:

LOUISE RENNE, CITY ATTORNEY

By: BEW

RECOMMENDED:

Randall B. Smith

RANDALL B. SMITH
EXECUTIVE DIRECTOR

"HEALTH SERVICE SYSTEM"

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
June 3, 1991	June 10, 1991
Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Ward	Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward
Absent: Supervisors Shelley	Absent: Supervisors Britt

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 97-91-29

JUN 21 1991
Date Approved

Mayor

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6/5/91 - As amended in Committee.

FILE NO. 101-90-120

ORDINANCE NO. 237-91

RO #90296 SA #190

(Government Funding)

APPROPRIATING $115,000 FOR OTHER CONTRACTUAL SERVICES AND OTHER SERVICES, ARTS COMMISSION FOR FISCAL YEAR 1990-91; PROVIDING FOR RATIFICATION OF ACTION PREVIOUSLY TAKEN; PLACING $15,000 ON RESERVE.

6/5/91 jlb

6/5/91 jlb

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1990-91 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
02-413	Market Street Art Maintenance Fund		
28-00-00	Arts Commission		
Project 001-00	Market Street Art Maintenance Receipt		
91-9108 (053819)	Advertising	$ 50,000	
Project 001-01	Market Street Art Maintenance		
10-1090 (330647)	Other Contractual Services		$ 30,000
10-1200 (330647)	Other Services		20,000
	Total	$ 50,000	$ 50,000
02-415	Youth Arts Fund		
28-00-00	Arts Commission		
76-7695 (053801)	Other Non-Operating Revenue	$ 65,000	
Project 001-01	Youth Arts		
10-1090 (330639)	Other Contractual Services		$ 45,000
10-1200 (330639)	Other Services		20,000
	Total	$ 65,000	$ 65,000
	Grand Total	$ 115,000	$ 115,000

6/5/91 jlb

Section 2. Funds in the amount of $15,000 from the Market Street Arts Maintenance Fund for maintenace of the Transit Shelter Art Program are hereby placed on reserve pending more specific budget and program details, to be released by the Finance Committee.

Section 3. Although the City has incurred no legal obligation, the Board of Supervisors does hereby ratify the action previously taken.

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: _____
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

_____
CONTROLLER

957-appnds/ch1/76877

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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
June 10, 1991	June 17, 1991
Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Kennedy Maher Migden Shelley Ward	Ayes: Supervisors Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Shelley Ward
Absent: Supervisors Britt Hsieh	Absent: Supervisors Achtenberg Migden

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
101-90-120

JUN 21 1991
Date Approved

Mayor

FILE NO. 65-91-4 ORDINANCE NO. 238-91

[Lease Renewal]

AUTHORIZING NEGOTIATED LEASE RENEWAL OF VACANT COMMERCIAL LAND IDENTIFIED AS PORTION OF ASSESSOR'S BLOCK 5227 LOT 1.

Be It Ordained by the People of the City and County of San Francisco:

Section 1. In accordance with the recommendation of the Director of Public Works and the Executive Director of the Clean Water Program, the Director of Property was authorized to negotiate a month-to-month lease renewal with M & M Auto Wreckers.

Section 2. The leased premises contains approximately 47,780 square feet of land identified as a portion of Assessor's Block 5227 Lot 1 and commonly known as 1790 Evans Avenue.

Section 3. The Director of Property, based upon Administrative Code Section 23.26, has negotiated a new lease with M & M Auto Wreckers on a month-to-month basis at a market rental rate which lessee has agreed to accept.

Section 4. The lease agreement is hereby approved and the Mayor and the Clerk of the Board of Supervisors are hereby authorized to execute said lease on behalf of the City and County of San Francisco.

APPROVED AS TO FORM:
Louise H. Renne, City Attorney

By Lisa A. Mallin
Deputy City Attorney

RECOMMENDED:

Director of Public Works

Executive Director
Clean Water Program

Director of Property

2962

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
June 10, 1991	June 17, 1991
Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward	Ayes: Supervisors Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Shelley Ward Absent: Supervisors Achtenberg Migden

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 65-91-4

JUN 24 1991
Date Approved

Mayor

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6/5/91 - As amended in Committee.

FILE NO. 97-91-34 ORDINANCE NO. 239-91

[Official Membership]

AMENDING CHAPTER 16, ARTICLE I OF THE SAN FRANCISCO ADMINISTRATIVE CODE BY AMENDING SECTION 16.6-9.1 THEREOF, TO ADD ~~EIGHTEEN~~ TWENTY-ONE ORGANIZATIONS TO THE MEMBERSHIP LIST OF THE DEPARTMENT OF PUBLIC WORKS.

6/5/91 jlb

NOTE: Additions are underlined.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Chapter 16, Article I, Section 16.6-9.1 of the San Francisco Administrative Code is hereby amended to read as follows:

SEC. 16.6-9.1 REPRESENTATION OF CITY AND COUNTY IN CERTAIN ORGANIZATIONS - DEPARTMENT OF PUBLIC WORKS (CONTINUED).

American Association for the Adv. of Science.

American Chemical Society.

6/5/91 jlb ~~American Conference of Coastal Dischargers.~~

American Congress of Surveying and Mapping.

American Fisheries Society.

American Institute of Plant Engineers.

American Institute of Steel Construction.

American Management Association.

American Management Society.

6/5/91 jlb ~~American Metropolitan Sewerage Association.~~

6/5/91 jlb ~~American Shore and Beach Preservation Association.~~

American Society of Chemical Engineers.

6/5/91 jlb ~~American Society of Civil Engineers Hydraulic Division.~~

American Society of Heating, Refrigerating, and Air Conditioning Enginners.

American Society of Landscape Architects.

American Society of Mechanical Engineers.

American Society of Quality Control.

American Water Works Association.

APWA-Instrument Testing Services.

Association of Asphalt Paving Technologists.

Association of Metropolitan Sewerage Agencies.

Berkeley MacIntosh Users Group.

6/5/91 jlb ~~Businesswire (An International Press Relations Wire Service).~~

California Information Center for Community Development, Inc.

Citizens for a Better Environment.

Concrete Reinforcing Steel Institute.

Construction Management Association of America.

County Engineers Association of California.

(CSO) Combined Sewer Overflow Partnership.

ELKE Users Group.

Illumination Engineering Society.

Institute of Electrical and Electronics Engineers.

International Association of Water Pollution Research and Control.

Instrument Society of America.

National Association of Environmental Professionals.

National Environmental Trainers Association.

National Well Water Association.

Project Management Institute.

6/5/91 jlb ~~San Francisco Bay Section - California Water Pollution Control Association.~~

Society of Women Engineers.

Southern California Assn. of Marine Invertebrate Taxonomists.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By Theodore R. Lakey
Deputy City Attorney

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Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
	§	
June 10, 1991	§	June 17, 1991
	§	
	§	
Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward	§	Ayes: Supervisors Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Shelley Ward
	§	
Absent: Supervisors Britt	§	Absent: Supervisors Achtenberg Migden

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John Taylor
Clerk

File No.
97-91-34

JUN 24 1991
Date Approved

Mayor

FILE NO. 97-91-36 ORDINANCE NO. 240-91

(Electricity)

AMENDING CHAPTER 1 OF THE SAN FRANCISCO ADMINISTRATIVE CODE BY AMENDING SECTION 16.6-28 THEREOF ADDING SIX ORGANIZATIONS REPRESENTED BY THE DEPARTMENT OF ELECTRICITY.

Note: Additions are underlined; deletions are indicated by ((double parentheses)).

Be it ordained by the people of the City and County of San Francisco:

Section 1. Chapter 16 of the San Francisco Administrative Code is hereby amended by amending Section 16.6-28 thereof, to read as follows:

Section 16.6-28. REPRESENTATION OF CITY AND COUNTY IN CERTAIN ORGANIZATIONS--DEPARTMENT OF ELECTRICITY.

International Mun. Signal Assn.

Northern Chapter of Assoc. Police Communication Officers.

International Communications Association (ICA).

Tele-Communications Association (TCA).

National Centrex Users Group (NCUG).

National System 75 Definity Users Group (75 UG).

Definity 85 Users Group (85UG).

The Institute of Electrical and Electronics Engineering, Inc. (IEEE).

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

JULIA TEN EYCK
Deputy City Attorney

APPROVED BY:

RUDOLF NOTHENBERG, CAO

Chief Administrative Officer

RECOMMENDED By:

H. DANIEL MCFARLAND

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
June 10, 1991	§	June 17, 1991
Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward	§	Ayes: Supervisors Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Shelley Ward
Absent: Supervisors Britt	§	Absent: Supervisors Achtenberg Migden

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 97-91-36

JUN 24 1991
Date Approved

Mayor

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FILE NO. 101-90-104

ORDINANCE NO. 241-91

RO #90274 SA #176

(Government Funding)

APPROPRIATING $4,181,000 FOR GENERAL ASSISTANCE, SOCIAL SERVICES FOR FISCAL YEAR 1990-91; PROVIDING FOR RATIFICATION OF ACTION PREVIOUSLY TAKEN.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1990-91 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
01-001	General Fund		
G.L. 496 (000026)	Unappropriated Revenue Reserved		
Subsidiary 000006	General Reserve	$ 4,181,000	
45-04-00	Social Services - General Assistance		
15-1530 (647206)	General Assistance		$ 4,181,000

Section 2. Although the City has incurred no legal obligation under the Charter, the Board of Supervisors does hereby appropriate the funds necessary for the obligation and does hereby ratify the action previously taken.

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

CONTROLLER

957-appropriation/ch1/64

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
June 10, 1991	June 17, 1991
Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward	Ayes: Supervisors Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Shelley Ward
Absent: Supervisors Britt	Absent: Supervisors Achtenberg Migden

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 101-90-104

JUN 24 1991
Date Approved

Mayor

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FILE NO. 101-90-105

ORDINANCE NO. 342-91

RO #90275 SA #177

(Government Funding)

APPROPRIATING $2,804,429 FOR AFDC-GENERAL ASSISTANCE, SOCIAL SERVICES FOR FISCAL YEAR 1990-91.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1990-91 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
01-001	General Fund		
G.L. 496 (000026)	Unappropriated Revenue Reserved		
Subsidiary 000006	General Reserve	$ 140,211	
99-9990 (160499)	Revenue Transfer In From # 01-291 Welfare Assistance and Administration Fund; #45-00-00 - Social Services	2,664,218	
45-02-00	Social Services - AFDC		
15-1500 (647107)	Aid To Families With Dependent Children - General Assistance		$ 2,804,429
	Total - General Fund	$ 2,804,429	$ 2,804,429
01-291	Welfare Assistance and Administration Fund		
63-6311 (041442)	AFDC - State Aid	$ 1,261,993	
63-6312 (041442)	AFDC - Federal Aid	$ 1,402,225	
49-4900 (840041)	Revenue Transfer Out to #01-001 General Fund; #99-00-00 General Fund Unallocated		$ 2,664,218
	Total - Fund #01-291	$ 2,664,218	$2,664,218

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: _____
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

Edward Harrington
CONTROLLER

Board of Supervisors, San Francisco

Passed for Second Reading
June 10, 1991

Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward

Finally Passed
June 17, 1991

Ayes: Supervisors Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Shelley Ward

Absent: Supervisors Achtenberg Migden

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
101-90-105

JUN 24 1991
Date Approved

Mayor

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File 101-90-106

E R R A T A

Correct Ordinance 243-91, page two, line 15, "Retirement" by adding "25,000" on the debit side.

John L. Taylor
Clerk of the Board
June 25, 1991

FILE NO. 101-90-106 ORDINANCE NO. 243-91

RO #90281 SA VARIOUS

(Government Funding)

APPROPRIATING $1,658,476 FOR SERVICES OF OTHER DEPARTMENTS - WORKERS COMPENSATION AND RESCINDING $115,727 FROM VARIOUS APPROPRIATION, FIRE DEPARTMENT, POLICE DEPARTMENT, SHERIFF, PURCHASING, RECREATION AND PARK, JUVENILE PROBATION AND RETIREMENT, FOR FISCAL YEAR 1990-91.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1990-91 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
01-001	General Fund		
G.L. 904 (000026)	Unappropriated Revenue Reserved		
Subsidiary 000016	Reserve for Public Facilities	$ 1,542,749	
31-03-00	Fire Department		
Project 195-31	Workers Compensation		
30-3700 (333039)	Services of Other Departments - Workers Compensation		$ 629,315
38-00-00	Police Department		
Project 195-38	Workers Compensation		
30-3700 (580340)	Services of Other Departments - Workers Compensation		523,627
06-00-00	Sheriff		
Project 195-06	Workers Compensation		
30-3700 (305078)	Services of Other Departments - Workers Compensation		158,111
91-00-00	Purchasing		
Project 195-91	Workers Compensation		
30-3700 (540427)	Services of Other Departments- Workers Compensation		137,675
12-01-00	Juvenile Probation		
Project 195-12	Workers Compensation		

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DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
30-3700 (318311)	Services of Other Departments - Workers Compensation		60,268
44-02-00	Retirement		
30-3700 (380543)	Workers Compensation		30,168
42-02-00	Recreation and Park		
Project 195-42	Workers Compensation		
30-3700 (620286)	Services of Other Departments- Workers Compensation		3,585
	Total - General Fund	$ 1,542,749	$ 1,542,749
02-221	Open Space Fund		
42-03-03	Recreation and Park - Neighborhood Parks		
01-0010 (621540)	Permanent Salaries - Miscellaneous	$ 31,448	
01-0030	Permanent Salaries - Craft	22,000	
04-0600	Retirement	25,000	
Project 195-42	Workers Compensation		
30-3700 (620609)	Services of Other Departments- Workers Compensation		$ 78,448
	Total - Open Space Fund	$ 78,448	$ 78,448
02-224	Yacht Harbor Fund		
42-03-09	Recreation and Park - Yacht Harbor		
01-0010 (373225)	Permanent Salaries	$ 15,000	
03-0100	Overtime	10,000	
04-0600	Retirement	12,279	
Project 195-42	Workers Compensation		
30-3700 (375907)	Services of Other Departments - Workers Compensation		$ 37,279
	Total - Yacht Harbor Fund	$ 37,279	$ 37,279
	Grand Total	$ 1,658,476	$ 1,658,476

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: _____
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

Edward Harrington
CONTROLLER

6/25/91
ep

Board of Supervisors, San Francisco

Passed for Second Reading

June 10, 1991

Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward

Finally Passed

June 17, 1991

Ayes: Supervisors Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Shelley Ward

Absent: Supervisors Achtenberg Migden

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John Taylor
Clerk

File No.
101-90-106

JUN 24 1991
Date Approved

Mayor

FILE NO. 127-91-7 ORDINANCE NO. 244-91

AMENDING PART III, SAN FRANCISCO MUNICIPAL CODE (REVENUE AND FINANCE) BY AMENDING SECTIONS 35, 248, 249.1, 249.7, 249.8 AND 249.14 THERETO RELATING TO LICENSE FOOD ESTABLISHMENTS, SWIMMING POOLS, PRIVATE AMBULANCES AND CROSS CONNECTION CONTROL DEVICES AND TESTERS.

NOTE: Additions or substitutions are underlined; deletions are indicated by ((double parenthesis))

Be it ordained by the People of the City and County of San Francisco:

Sections 35, 248, 249.1, 249.7, 249.8 and 249.14 of Part III of the San Francisco Municipal Code (Health Code) are hereby amended to read as follows:

SEC. 35. FEE FOR INSPECTION BY THE HEALTH DEPARTMENT.

(a) Unless otherwise specifically provided, all fixed fees for inspection or permits which involve the Health Department shall be payable in advance annually.

A filing fee of $159 payable in advance to the Health Department for each inspection for a permit is required for a first-time inspection of a premises or thing if such inspection is requested or required as a condition of the issuance of a first permit or of a first license, except applications for permits for ambulances, refuse trucks, swill trucks, fumigation site surveillance, soft-serve ice cream machines and hazardous material storage.

(b) When two or more food produce and marketing establishments and food preparation and service establishments, or any combination thereof, subject to inspection are located on the same premises and not contiguous to each other and are conducted by one owner whether person, firm or corporation, a permit shall be required for each such establishment.

(c) When the owner or lessee of premises where said class or classes of business are located or conducted does not directly or indirectly conduct the same, the owner or lessee of said premises shall not be required to obtain a permit for said premises or pay any fee imposed by this Section.

(d) A fee of $50 shall accompany any application for a special event referred to in Section 452(b) of the San Francisco Health Code.

(e) Exemptions. The following establishments are exempt, as set forth in Section 249.1 of this Code, from paying fees:

(1) Food preparation and service establishments used exclusively by day care facilities for children.

(2) Food preparation and service establishments funded through the San Francisco Commission on Aging for nutrition projects for older individuals.

(f) When a review of plans or blue prints is required as part of the application for permit process, a fee of $58 per hour will be charged. Services provided by the Health Department for which this fee will be charged include, but are not limited to, time expended reviewing plans or blue prints, consultations, and site inspections. A bill for these services will be issued to the applicant and must be paid prior to the Department approving the application for the Permit to Operate.

248. FOOD PRODUCT AND MARKETING ESTABLISHMENTS. The following fee for licenses is established for persons, firms or corporations engaged in the conduct or operation of the handling, manufacture or sale of foodstuffs, annually payable in advance to the Tax Collector. Fees in Classes A and B shall be based on inventory of food at cost basis in stock as of the first day of April.

Class A. Inventory of (($300)) $900 or more - Fee (($306)) $326.

Class B. Inventory under (($300)) $900 - Fee $46.

Class C. Food Product and Marketing Establishments in stadiums, arenas or auditoriums with a seating capacity of 25,000 or more - Fee $357 each.

The license fees prescribed in this Section are due and payable on an annual basis, starting September 1, 1983.

Fees for new licenses issued prior to September 1st, shall be prorated to September 1st, on a monthly basis.

SEC. 249.1. FOOD PREPARATION AND SERVICE ESTABLISHMENTS. Every person, firm or corporation engaged in the business of operating food preparation and service establishments that require permits from the Health Department shall

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pay an annual license fee to the Tax Collector as follows:

(a) Food preparation and service establishments in boarding houses: $118.

(b) Food preparation and service establishments in stadiums, arenas, or auditoriums with a seating capacity of 25,000 or more: $357 each.

(c) All other food preparation and services establishments: (($465)) $488 each. The license fees prescribed in this Section are due and payable on an annual basis commencing April 1, 1984. Fees for new licenses issued prior to, or after April 1st, shall be prorated to April 1st on a monthly basis provided, however, that the increase in fees set forth in Ordinance No. 369-88 shall apply retroactively to the April 1st prior to the effective date of that ordinance and the Tax Collector shall take steps necessary to collect the increased fee from establishments governed by this subsection.

(d) Exemptions. The following establishments are exempt from paying the fees required by this Section:

1. Food preparation and service establishments used exclusively by day care facilities for children are exempt from paying the fees required by this Section.

For the purpose of this subsection, a "day care facility for children" shall mean a "community care facility" licensed pursuant to the provisions of Chapter 3, Division 2 of the California Health and Safety Code (commencing at Section 1500) which provides nonmedical care to children in need of personal services, supervision, or assistance essential for sustaining the activities of daily living or for the protection of the individual on less than a 24-hour basis, or a "family day care home for children" licensed pursuant to the provisions of Chapter 3.6, Division 2 of the California Health and Safety Code (commencing at Section 1597.50).

2. Food preparation and service establishments funded through the San Francisco Commission on Aging for nutrition projects for older individuals.

SEC. 249.7. SWIMMING POOLS. Every person, firm or corporation engaged in operating a swimming pool on a year round basis that requires a permit from

the Health Department shall pay an annual license fee of (($181)) $233 to the Tax Collector. Swimming pools that require a permit from the Health Department which operate less than six months per year shall pay an annual license fee of $200 per year to the Tax Collector.

The license fee shall be due and payable annually in advance on the first day of October of each year. Fees for the licenses issued prior to or after October 1st, shall be prorated on a monthly basis. License fees paid hereunder shall not be refundable because of revocation of license, discontinuance of operation or sale or transfer of the swimming pool.

SEC. 249.8. PRIVATE AMBULANCES. Every person, firm or corporation engaged in operating a private ambulance that requires a permit from the Health Department shall pay an annual license fee of (($30)) $142 for each vehicle to the Tax Collector. The license fees prescribed by this Section are due and payable on an annual basis.

SEC. 249.14. CERTIFIED TESTERS. Every person who is not a City employee and who is engaged in testing backflow prevention or cross-connection control devices for which a certificate is required from the Department of Public Health shall pay fee(s) to the Tax Collector prior to the issuance of said certificate, as follows:

(a) Initial application for certification: (($50)) $159.

(b) Training for certification: $115.

(c) Examination for certification: (($25)) $75.

(d) Seals or tags: (($2 each)) $5 each.

(e) Annual license fee and recertification fee: (($25)) $75.

The fees for annual licenses shall be prorated to January 1st on a monthly basis. All fees are nonrefundable.

APPROVED AS TO FORM:

LOUISE H. RENNE

City Attorney

By Mark Barmore

Deputy City Attorney

RECOMMENDED:

Raymond Bayter

Director of Health

APPROVED:

Sandy Cheryl Mori

Health Commission

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
June 10, 1991	June 17, 1991
Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward	Ayes: Supervisors Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Shelley Ward
Absent: Supervisors Britt	Absent: Supervisors Achtenberg Migden

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
127-91-7

JUN 24 1991
Date Approved

Mayor

FILE NO. 15-91-6 ORDINANCE NO. 245-91

[Taxi Rate Increases]

AMENDING PART II, CHAPTER VIII, ARTICLE 16 OF THE SAN FRANCISCO MUNICIPAL CODE (POLICE CODE), BY AMENDING SECTION 1135 TO INCREASE THE RATES OF FARE FOR TAXICABS BY APPROXIMATELY TWENTY PERCENT ABOVE CURRENT RATES, LESS THE FIFTY CENT TEMPORARY RATE INCREASE THAT WAS ENACTED BY ORDINANCE NO. 383-90.

NOTE: Additions are indicated by underlining; deletions are indicated by ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. Chapter VIII, Part II, Article 16 of the San Francisco Municipal Code (Police Code) is hereby amended by amending Section 1135 to read as follows:

SEC. 1135 RATES FOR TAXICABS.

(a) Except as provided in subsection (b) of this Section, the rates of fare for taxicabs shall be as follows: ((\$1.40)) \$1.70 for the first sixth mile or "flag"; ((25¢)) 30¢ for each additional 1/6 mile or fraction thereof; ((25¢)) 30¢ for each one minute of waiting or traffic delay time. For out-of-town trips exceeding 15 miles beyond city limits, the fare will be 150 percent of the metered rate; for trips exceeding 15 miles from San Francisco International Airport and not terminating within the city limits of San Francisco, the fare will be 150 percent of the metered rate except for those trips from San Francisco International Airport traversing through San Francisco going to Marin County or to the East Bay the 15 mile limit will apply from the city limits of San Francisco as set forth above.

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(b) There shall be a flat rate of fare for groups of two or more persons of \$24 for passengers for trips from the City and County of San Francisco to the San Francisco International Airport or from the San Francisco International Airport to the City and County of San Francisco. Each passenger shall pay a fare equal to \$24 divided by the number of passengers sharing the ride. There shall be a maximum of three passenger boarding points and a maximum of three passenger destination points within the City and County of San Francisco or the San Francisco International Airport.

(c) For trips within the San Francisco city limits by elderly or handicapped persons who have been deemed eligible under San Francisco's paratransit services program to pay for transportation with scrip redeemable by participating taxicab operators from the Paratransit Program for cash, the fare shall be at the rate less an eight-percent discount for the first year commencing with the effective date of this ordinance and said discount thereafter shall be negotiated as required by the San Francisco Public Utilities Commission with participating San Francisco taxicab operators.

(d) This Subsection shall not apply to public passenger vehicles engaged pursuant to Section 1135(b). The driver of a public passenger vehicle may transport two or more passengers who voluntarily agree to share the vehicle from the same boarding point to one destination point. Each passenger shall pay a fare at the destination point in an amount equal to the total fare divided by the number of passengers sharing the ride.

(e) A passenger who first engages a public passenger vehicle has the exclusive right to conveyance therein to his or her destination. The driver shall not solicit or accept any additional

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passenger without the prior consent of any passenger who has previously engaged the vehicle.

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

By: _____
Deputy City Attorney

SUPERVISORS MIGDEN, ALIOTO AND KENNEDY

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
June 17, 1991	June 24, 1991
Ayes: Supervisors Alioto Gonzalez Hallinan Hsieh Kennedy Maher Shelley Ward	Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley
Absent: Supervisors Achtenberg Britt Migden	Absent: Supervisors Britt Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

_____
Clerk

File No. 15-91-6

JUN 26 1991
Date Approved

_____
Mayor

FILE NO. 36-91-2 ORDINANCE NO. 246-91

[Zoning Map Change]

ADOPTING CHANGES IN PROPERTY USE CLASSIFICATION AS AN AMENDMENT TO THE ZONING MAP OF THE CITY AND COUNTY OF SAN FRANCISCO OF PROPERTY LOCATED AT 515-519 ELLIS STREET, SOUTHWEST CORNER WITH COHEN PLACE, LOT 28A, ASSESSOR'S BLOCK 334 FROM AN RC-4 (RESIDENTIAL COMMERCIAL COMBINED, HIGH DENSITY) DISTRICT AND THE NORTH OF MARKET RESIDENTIAL SPECIAL USE DISTRICT TO AN RC-4 (RESIDENTIAL COMMERCIAL COMBINED, HIGH DENSITY) AND NORTH OF MARKET RESIDENTIAL SPECIAL USE DISTRICT AND THE COHEN PLACE AND ELLIS STREET AFFORDABLE HOUSING SPECIAL USE DISTRICT, AND ADOPTING FINDINGS PURSUANT TO PLANNING CODE SECTION 101.1.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Pursuant to Section 302(c) of the City Planning Code, Part II, Chapter II of the San Francisco Municipal Code, the following change in property use classification, duly approved by resolution of the City Planning Commission, is hereby adopted as an amendment to the Zoning Map of the City and County of San Francisco:

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Description of Property	Use District to be Superseded	Use District Hereby Approved
Beginning at a point on the south side of Ellis Street, 56 feet west of the intersection of Ellis Street and Cohen Place, thence at a right angle southerly 137.5 feet, thence at a right angle easterly 56 feet, thence at a right angle northerly 137.5 feet, thence at a right angle westerly 56 feet to the point of beginning; being all of Lot 28A in Assessor's Block 334 and adjacent street areas to their centerline as designated on Sectional Map No. 2SU of the Zoning Map.	RC-4 and North of Market Residential Special Use District	RC-4 and North of Market Residential Special Use District and Cohen Place and Ellis Street Affordable Housing Special Use District

Section 2. Pursuant to Planning Code Section 101.1, this Board of Supervisors adopts City Planning Commission Resolution No. 13059 approving findings related to the Eight Priority Policies of Section 101.1 of the Planning Code.

APPROVED AS TO FORM:
LOUISE H. RENNE, City Attorney

By Leslie Braverman
Deputy City Attorney

RECOMMENDED:
CITY PLANNING COMMISSION

By Dean L. Macris
Dean L. Macris
Director of Planning

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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
June 17, 1991	June 24, 1991
Ayes: Supervisors Alioto Gonzalez Hallinan Hsieh Kennedy Maher Shelley Ward	Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley
Absent: Supervisors Achtenberg Britt Migden	Absent: Supervisors Britt Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
36-91-2

JUN 26 1991

Date Approved

Mayor

(Affordable Housing Special Use District)

AMENDING PART II, CHAPTER II OF THE SAN FRANCISCO MUNICIPAL CODE (CITY PLANNING CODE) BY ADDING SECTION 249.11 TO CREATE AN AFFORDABLE HOUSING SPECIAL USE DISTRICT AT COHEN PLACE AND ELLIS STREET AND FINDING CONSISTENCY WITH PLANNING CODE SECTION 101.1.

Note: The entire section is new.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Article 2, Part II, Chapter II of the San Francisco Municipal Code (City Planning Code) is hereby amended by adding Section 249.11, to read as follows:

SEC. 249.11. COHEN PLACE AND ELLIS STREET AFFORDABLE HOUSING SPECIAL USE DISTRICT. In order to promote conversion of existing structures to provide affordable rental housing opportunities for lower income households there shall be a Cohen Place and Ellis Street Affordable Housing Special Use District, consisting of Lot 28A, Block 334; known as 515-519 Ellis Street, a rectangular parcel at the southwest intersection of Ellis Street and Cohen Place, with frontage of 56' along Ellis Street, and 137'6" along Cohen Place, as designated on Sectional Map 2SU of the Zoning Map. The following provisions shall apply within such special use district:

(a) Any developer of housing who agrees to construct at least (1) 20 percent of the total units of a housing development for lower income households or (2) 10 percent of the total units of a housing development for very low income households, shall be entitled to a density bonus upon approval by the City Planning Commission as a conditional use under Section 303 of this code.

(b) For the purposes of this Section, the following definitions shall apply:

(1) "Density bonus" shall mean a density increase of not more than 35 percent over the number of dwelling units otherwise permitted as a principal use in the district. The density bonus shall not be calculated as part of the total units for purposes of determining the percentage of designated units.

(2) "Designated unit" shall mean a housing unit identified and reported by the developer of a housing development as a unit that is affordable to households of low-or very low-income.

(3) "Housing development" shall mean five or more dwelling units.

(4) "Lower income households" is defined in Section 50079.5 of the Health and Safety Code.

(5) "Very low income household" is defined in Section 50105 of the Health and Safety Code.

(c) In this district all of the provisions of this code applicable in an RC-4 Use District and the North of Market Residential Special Use District shall continue to apply, except as specifically provided in subsection (d).

(d) In this special use district a modification to or exception from otherwise applicable requirements of this code, as a conditional use pursuant to Section 303 of this code, may be appropriate in order to further the critical goal of creating affordable housing. A conditional use approval for a housing development subject to this section may modify or grant the following exceptions or modifications to the requirements of this code if the facts presented are such as to establish that the modification or exception satisfies the criteria of subsections

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303(c)(1) through 303(c)(3) of this code:

(1) A modification of off-street parking requirements of Section 151 of this code. In acting upon any application for a reduction of requirements, the City Planning Commission shall consider the criteria set forth in Section 161(h) of this code in lieu of the criteria set forth in Section 303(c) of this code;

(2) An exception to the unit exposure requirements of Section 140 of this code; and

(3) A modification of the rear yard requirements of Section 134 of this code to substitute an equivalent amount of open space situated anywhere within this special use district, provided the City Planning Commission determines that all of the following criteria are met:

(i) The substituted open space in the proposed structure will not adversely affect the access of light and air to and views from existing abutting properties; and

(ii) The proposed structure will not adversely affect the interior block open space formed by the rear yards of existing abutting properties.

(e) The controls of this Section shall remain in effect until December 31, 1992.

Section 2. The Board of Supervisors finds that this amendment is consistent with the priority policies set forth in Section 101.1 of the San Francisco Planning Code, and adopts as its own the findings made by the City Planning Commission in Resolution No. 13060.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By: Leslie Brauerman
Deputy City Attorney

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
June 17, 1991	June 24, 1991
Ayes: Supervisors Alioto Gonzalez Hallinan Hsieh Kennedy Maher Shelley Ward	Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley
Absent: Supervisors Achtenberg Britt Migden	Absent: Supervisors Britt Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
81-91-1

JUN 26 1991
Date Approved

Mayor

Amendment of the Whole
as presented in Committee
June 17, 1991

FILE NO. 106-91-4

ORDINANCE NO. 248-91

[PAY EQUITY LEGALLY - MANDATED ADJUSTMENTS]

PROVIDING FOR PAY EQUITY ADJUSTMENTS TO THE SCHEDULES OF COMPENSATION FOR PERSONS EMPLOYED BY THE CITY AND COUNTY OF SAN FRANCISCO, THE SAN FRANCISCO UNIFIED SCHOOL DISTRICT AND THE SAN FRANCISO COMMUNITY COLLEGE DISTRICT EFFECTIVE JULY 1, 1991, AS PROVIDED FOR IN CHARTER SECTION 8.407-1 AND CONTRACTUALLY MANDATED BY MEMORANDA OF UNDERSTANDING.

Be it ordained by the People of the City and County of San Francisco:

Section 1. San Francisco Charter Section 8.407-1 provides for, and Memoranda of Understanding contractually mandate that pay equity adjustments be made on an annual basis. Accordingly, pursuant to 8.407-1 and those Memoranda of Understanding, the Board of Supervisors hereby adopts this ordinance making the adjustments set forth in Section 2. In adopting this ordinance, the Board of Supervisors is not fixing wages pursuant to Charter sections 8.401 and 8.407.

Section 2. The following pay equity adjustment are hereby adopted:

XIV.B SCHEDULE OF PAY EQUITY ADJUSTMENTS

The classes listed in this section shall receive pay equity adjustment pursuant to charter section 8.407-1 (pay equity adjustments) in the dollar amount and compensation frequency shown.

The 'F' column indicates the frequency of the rate of compensation for the classification:

B bi-weekly rate of compensation

H hourly rate of compensation

The 'Schd' column indicates the incremental salary schedule increase resulting from pay equity, or, in the event that the classification is not associated with an exact schedule of compensation, the equivalent number of salary schedules for the dollar increase shown.

Class	Title	Sched	Step 1	F	Step 5
1202	PERSONNEL CLERK.....	0.6	26.00	B	32.00
1204	SENIOR PERSONNEL CLERK.....	0.6	30.00	B	36.00
1212	TIMEROLL AUDIT CLERK.....	0.6	31.00	B	37.00
1220	PAYROLL CLERK.....	0.6	31.00	B	37.00
1222	SENIOR PAYROLL AND PERSONNEL CLERK.....	0.6	33.00	B	41.00
1224	PRINCIPAL PAYROLL AND PERSONNEL CLERK...	0.6	38.00	B	46.00
1226	CHIEF PAYROLL AND PERSONNEL CLERK.....	0.5	36.00	B	45.00
1227	TESTING TECHNICIAN.....	0.6	27.00	B	33.00
1310	PUBLIC RELATIONS ASSISTANT.....	0.6	27.00	B	33.00
1402	JUNIOR CLERK.....	0.6	21.00	B	26.00
1403	ELECTIONS CLERK.....	0.6	25.00	B	31.00
1404	CLERK.....	0.6	24.00	B	29.00
1408	PRINCIPAL CLERK.....	0.6	33.00	B	39.00
1410	CHIEF CLERK.....	0.6	39.00	B	47.00
1422	JUNIOR CLERK TYPIST.....	0.6	23.00	B	27.00
1424	CLERK TYPIST.....	0.6	24.00	B	30.00
1426	SENIOR CLERK TYPIST.....	0.6	27.00	B	33.00
1428	WARD CLERK.....	0.6	29.00	B	35.00
1430	TRANSCRIBER TYPIST.....	0.6	27.00	B	33.00
1432	SENIOR TRANSCRIBER TYPIST.....	0.6	30.00	B	36.00
1436	BRAILLIST.....	0.6	25.00	B	31.00
1440	MEDICAL TRANSCRIBER TYPIST.....	0.6	29.00	B	35.00
1444	SECRETARY I.....	0.6	25.00	B	31.00

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Class	Title	Sched	Step 1	F	Step 5
1446	SECRETARY II	0.6	30.00	B	36.00
1450	EXECUTIVE SECRETARY I	0.6	33.00	B	39.00
1452	EXECUTIVE SECRETARY II	0.6	35.00	B	41.00
1454	EXECUTIVE SECRETARY III	0.5	30.00	B	38.00
1458	LEGAL SECRETARY I	0.6	34.00	B	42.00
1460	LEGAL SECRETARY II	0.6	39.00	B	47.00
1461	LEGAL SECRETARY III	0.6	42.00	B	50.00
1464	MEDICAL CLERK STENOGRAPHER	0.6	33.00	B	41.00
1468	WATER SERVICES CLERK	0.6	28.00	B	34.00
1474	CLAIMS PROCESS CLERK	0.6	28.00	B	34.00
1476	SENIOR CLAIMS PROCESS CLERK	0.5	26.00	B	32.00
1478	SENIOR WATER SERVICES CLERK	0.6	31.00	B	38.00
1480	PRINCIPAL WATER SERVICES CLERK	0.5	28.00	B	36.00
1486	EDUCATIONAL CREDENTIALS TECHNICIAN	0.5	26.00	B	33.00
1487	FINANCIAL AIDS ASSISTANT	0.6	33.00	B	39.00
1488	TECH INSTRUCT ASST, EVALUATION TECH	0.6	29.00	B	35.00
1498	SUPERVISING CLERK II	0.5	29.00	B	36.00
1499	SUPERVISING CLERK III	0.6	35.00	B	44.00
1602	CALCULATING MACHINE OPER (KEY DRIVE)	0.6	25.00	B	31.00
1630	ACCOUNT CLERK	0.6	25.00	B	31.00
1632	SENIOR ACCOUNT CLERK	0.6	29.00	B	35.00
1634	PRINCIPAL ACCOUNT CLERK	0.6	33.00	B	41.00
1635	HEALTH CARE BILLING CLERK I	0.6	28.00	B	33.00
1636	HEALTH CARE BILLING CLERK II	0.5	26.00	B	32.00
1637	PATIENT ACCOUNTS CLERK	0.6	32.00	B	39.00
1640	SENIOR ACCOUNTING MACHINE OPERATOR	0.6	32.00	B	39.00
1650	ACCOUNTANT	0.6	31.00	B	38.00
1652	SENIOR ACCOUNTANT	0.6	37.00	B	46.00
1654	PRINCIPAL ACCOUNTANT	0.6	46.00	B	55.00
1662	PATIENT ACCOUNTS ASST SUPERVISOR	0.6	35.00	B	43.00

Class	Title	Sched	Step 1	F	Step 5
1663	PATIENT ACCOUNTS SUPERVISOR	0.6	39.00	B	48.00
1706	TELEPHONE OPERATOR	0.6	24.00	B	30.00
1708	SENIOR TELEPHONE OPERATOR	0.6	27.00	B	32.00
1710	CHIEF TELEPHONE OPERATOR	0.6	31.00	B	38.00
1720	DATA ENTRY OPERATOR	0.6	23.00	B	27.00
1721	SENIOR DATA ENTRY OPERATOR	0.6	25.00	B	31.00
1727	SUPERVISING DATA ENTRY OPERATOR	0.6	28.00	B	34.00
1738	COMPUTER OPERATIONS SHIFT SUPERVISOR	0.6	38.00	B	45.00
1752	SENIOR MICROPHOTO TECHNICIAN	0.6	29.00	B	35.00
1760	OFFSET MACHINE OPERATOR	0.6	28.00	B	33.00
1810	ACTUARIAL CLERK	0.6	28.00	B	34.00
1833	TAPE LIBRARIAN, EDP	0.6	23.00	B	27.00
1853	CONTROL CLERK, EDP	0.6	25.00	B	31.00
1855	SENIOR CONTROL CLERK, EDP	0.6	28.00	B	34.00
1856	ASST CONTROL SUPERVISOR, EDP	0.6	31.00	B	37.00
1858	CONTROL SUPERVISOR, EDP	0.6	35.00	B	41.00
1933	SCHOOL WAREHOUSE ASSISTANT SUPERVISOR	0.5	28.00	B	36.00
2110	MEDICAL RECORDS CLERK	0.6	28.00	B	34.00
2112	MEDICAL RECORDS TECHNICIAN	0.5	26.00	B	33.00
2202	DENTAL AIDE	0.6	29.00	B	35.00
2204	DENTAL HYGIENIST	0.6	37.00	B	45.00
2301	ORDERLY TRAINEE	0.0	25.00	B	25.00
2302	ORDERLY	0.6	28.00	B	34.00
2304	PSYCHIATRIC ORDERLY	0.6	30.00	B	36.00
2305	PSYCHIATRIC TECHNICIAN	0.6	31.00	B	38.00
2306	SENIOR PSYCHIATRIC ORDERLY	0.6	32.00	B	39.00
2310	SURGICAL PROCEDURES TECHNICIAN	0.6	31.00	B	38.00
2312	LICENSED VOCATIONAL NURSE	0.6	31.00	B	38.00
2390	CENTRAL SUPPLY PROCESS AND DISTR TECH	0.6	31.00	B	37.00
2392	SR CENTRAL PROCESSING AND DISTR TECH	0.6	39.00	B	48.00
2402	LABORATORY HELPER	0.6	24.00	B	29.00

Class	Title	Sched	Step 1	F	Step 5
2406	PHARMACY HELPER	0.6	30.00	B	36.00
2409	PHARMACY TECHNICIAN	0.6	35.00	B	41.00
2416	BACTERIOLOGICAL LABORATORY ASSISTANT	0.6	27.00	B	32.00
2424	X-RAY LABORATORY AIDE	0.6	28.00	B	33.00
2425	RADIOLOGIC TECHNOLOGIST I	0.6	35.00	B	41.00
2432	ELECTROCARDIOGRAPH TECHNICIAN	0.6	31.00	B	38.00
2434	SENIOR ELECTROCARDIOGRAPH TECHNICIAN	0.6	35.00	B	41.00
2520	MORGUE ATTENDANT	0.6	31.00	B	37.00
2548	OCCUPATIONAL THERAPIST	0.5	37.00	B	46.00
2552	DIR OF ACTIVITIES THERAPY AND VOL SERV	0.6	39.00	B	48.00
2554	THERAPY AIDE	0.6	33.00	B	39.00
2556	PHYSICAL THERAPIST	0.5	37.00	B	46.00
2585	HEALTH WORKER I	0.6	22.00	B	28.00
2586	HEALTH WORKER II	0.6	26.00	B	32.00
2587	HEALTH WORKER III	0.6	29.00	B	35.00
2588	HEALTH WORKER IV	0.5	28.00	B	36.00
2604	FOOD SERVICE WORKER	0.6	24.00	B	29.00
2606	SENIOR FOOD SERVICE WORKER	0.6	25.00	B	31.00
2608	SUPPLY ROOM ATTENDENT	0.6	26.00	B	32.00
2615	SCHOOL LUNCHROOM HELPER	0.6	24.00	B	29.00
2618	FOOD SERVICE SUPERVISOR	0.6	29.00	B	35.00
2619	SENIOR FOOD SERVICE SUPERVISOR	0.6	32.00	B	39.00
2624	DIETITIAN	0.6	38.00	B	46.00
2630	SCHOOL LUNCHROOM COOK	0.6	27.00	B	33.00
2634	COOK-MANAGER, SECONDARY SCHOOL	0.6	32.00	B	39.00
2636	SCHOOL LUNCHROOM AREA SUPERVISOR	0.6	45.00	B	56.00
2654	COOK	0.6	32.00	B	39.00
2672	CHILDREN'S CENTER ASSISTANT HOUSEPARENT	0.6	26.00	B	32.00
2674	CHILDREN'S CENTER HOUSEPARENT	0.6	28.00	B	34.00
2706	HOUSEKEEPER	0.6	21.00	B	26.00
2708	CUSTODIAN	0.6	24.00	B	30.00

Class	Title	Sched	Step 1	F	Step 5
2716	CUSTODIAL ASSISTANT SUPERVISOR	0.6	28.00	B	33.00
2718	CUSTODIAL SUPERVISOR I	0.6	30.00	B	36.00
2719	JANITORIAL SERVICES ASSISTANT SUPERVISOR	0.6	32.00	B	39.00
2736	PORTER	0.6	24.00	B	30.00
2738	PORTER ASSISTANT SUPERVISOR	0.6	28.00	B	33.00
2740	PORTER SUPERVISOR I	0.6	30.00	B	36.00
2760	LAUNDRY WORKER	0.6	22.00	B	27.00
2770	SENIOR LAUNDRY WORKER	0.6	24.00	B	28.00
2772	SEWING TECHNICIAN	0.6	23.00	B	28.00
2774	SENIOR SEWING TECHNICIAN	0.6	27.00	B	32.00
2780	LAUNDRY WORKER SUPERVISOR	0.6	31.00	B	37.00
2785	ASSISTANT GENERAL SERVICES MANAGER	0.6	37.00	B	45.00
2903	ELIGIBILITY WORKER	0.6	28.00	B	34.00
2904	SOCIAL SERVICE TECHNICIAN	0.6	27.00	B	32.00
2905	SENIOR ELIGIBILITY WORKER	0.6	33.00	B	39.00
2908	HOSPITAL ELIGIBILITY WORKER	0.6	33.00	B	39.00
2909	HOSPITAL ELIGIBILTY SUPERVISOR	0.6	44.00	B	53.00
2920	MEDICAL SOCIAL WORKER	0.6	44.00	B	53.00
2930	PSYCHIATRIC SOCIAL WORKER	0.6	44.00	B	53.00
2940	CHILD WELFARE WORKER	0.6	44.00	B	53.00
2994	HOMEMAKER	0.6	24.00	B	29.00
3202	LOCKER ROOM ATTENDANT	0.6	16.00	B	20.00
3204	SWIMMING POOL CASHIER - CLERK	0.6	24.00	B	30.00
3238	DANCE INSTRUCTOR	0.6	32.00	B	39.00
3264	CAMP ASSISTANT	0.0	14.00	B	14.00
3280	ASST RECREATION DIRECTOR	0.6	25.00	B	31.00
3287	ASSISTANT RECREATION SUPERVISOR	0.6	39.00	B	47.00
3302	VENDOR	0.6	21.00	B	25.00
3540	CURATORIAL AIDE	0.6	22.00	B	27.00
3542	CURATOR II	0.6	38.00	B	46.00
3593	INSTRUCTIONAL AIDE I	0.6	19.00	B	24.00

Class	Title	Sched	Step 1	F	Step 5
3594	INSTRUCTIONAL AIDE II	0.6	24.00	B	30.00
3596	SCHOOL SECURITY AIDE	0.6	24.00	B	30.00
3597	SCHOOL AIDE II	0.6	19.00	B	24.00
3598	SCHOOL AIDE III	0.6	24.00	B	30.00
3602	LIBRARY PAGE	0.6	20.00	B	25.00
3610	LIBRARY ASSISTANT	0.6	26.00	B	32.00
3616	LIBRARY TECHNICAL ASSISTANT I	0.6	31.00	B	38.00
3618	LIBRARY TECHNICAL ASSISTANT II	0.6	34.00	B	42.00
3630	LIBRARIAN I	0.6	38.00	B	45.00
3632	LIBRARIAN II	0.6	45.00	B	55.00
4202	ASSESSMENT CLERK	0.6	25.00	B	31.00
4203	SENIOR ASSESSMENT CLERK	0.6	28.00	B	34.00
4320	CASHIER I	0.6	24.00	B	30.00
4321	CASHIER II	0.6	26.00	B	32.00
4334	INVESTIGATOR, TAX COLLECTOR	0.5	36.00	B	42.00
4335	SENIOR INVESTIGATOR, TAX COLLECTOR	0.6	45.00	B	56.00
7392	WINDOW CLEANER	0.5	27.00	B	35.00
7416	BOOK REPAIRER	0.6	26.00	B	32.00
8106	LEGAL PROCESS CLERK	0.6	25.00	B	31.00
8108	SENIOR LEGAL PROCESS CLERK	0.6	28.00	B	34.00
8112	ASSISTANT COURT CLERK	0.6	37.00	B	46.00
8113	COURT CLERK	0.5	36.00	B	42.00
8238	POLICE COMMUNICATIONS DISPATCHER	0.6	34.00	B	42.00
8239	SR. POLICE COMMUNICATIONS DISPATCHER	0.6	39.00	B	48.00
8316	ASSISTANT COUNSELOR	0.6	26.00	B	32.00
8318	COUNSELOR II	0.6	38.00	B	45.00
9102	TRANSIT CAR CLEANER	0.6	27.00	B	33.00
9104	TRANSIT CAR CLEANER ASST SUPERVISOR	0.6	30.00	B	36.00
9117	PRINCIPAL FARE COLLECTIONS RECEIVER	0.6	41.00	B	51.00
9122	TRANSIT INFORMATION CLERK	0.6	31.00	B	37.00
9124	SENIOR TRANSIT INFORMATION CLERK	0.6	36.00	B	44.00

Class	Title	Sched	Step 1	F	Step 5
9131	STATION AGENT, MUNICIPAL RAILWAY	0.6	38.00	B	45.00
9202	AIRPORT COMMUNICATIONS OPERATOR	0.6	32.00	B	39.00
9203	SENIOR AIRPORT COMMUNICATIONS OPERATION.	0.6	35.00	B	44.00

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

By: _____
DEPUTY CITY ATTORNEY

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
	§	
June 17, 1991	§	June 24, 1991
	§	
	§	
Ayes: Supervisors Alioto Hallinan Hsieh Kennedy Shelley Ward	§	Ayes: Supervisors Alioto Britt Gonzalez Hallinan Kennedy Shelley
	§	
Absent: Supervisors Achtenberg Britt Gonzalez Maher Migden	§	Absent: Supervisors Achtenberg Ward Hsieh Maher Migden

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
106-91-4

JUN 26 1991

Date Approved

Mayor

FILE NO. 101-90-111

ORDINANCE NO. 349-91

RO #91007 SA #183

(Government Funding)

APPROPRIATING $151,000 FOR OVERTIME, AIRPORT COMMISSION FOR FISCAL YEAR 1990-91.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1990-91 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
30-001	Airport Operating Fund		
G.L. 301 (022012)	Unreserved Fund Balance	$ 151,000	
27-03-30	Airport - Operations		
03-0100 (570101)	Overtime		$ 141,000
27-02-20	Airport - Business and Finance		
Project 023-02	Security - Persian Gulf Crisis		
03-0100 (572834)	Overtime		10,000
	Total	$ 151,000	$ 151,000

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: Theodore R. Soley
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

Edward Harrington
CONTROLLER

957-wpppadm/ch1/67

MAY 15 1991

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
June 17, 1991	June 24, 1991
Ayes: Supervisors Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Shelley Ward	Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley
Absent: Supervisors Achtenberg Migden	Absent: Supervisors Britt Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John Taylor
Clerk

File No.
101-90-111

JUN 26 1991
Date Approved

Mayor

JUL 18 1991
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Finance

6/12/91 - As amended in Committee.

FILE NO. 101-90-115

ORDINANCE NO. 250-91
RO #90288 SA #171

(GOVERNMENT FUNDING)

APPROPRIATING $600,000 FOR CAPITAL IMPROVEMENT PROJECT (CHINATOWN PARKING PROJECT), DEPARTMENT OF PARKING AND TRAFFIC FOR FISCAL YEAR 1990-91; PLACING $600,000 ON RESERVE.

6/12/91 jlb

6/12/91 jlb

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1990-91 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
02-071	Off-Street Parking Fund		
36-02-00	Dept. of Parking and Traffic		
G.L. 312 (003327)	Reserve for Contingencies	$ 600,000	
Project 208-01	Chinatown Parking Project		$ 600,000
20-2030 (353144)	Capital Improvement Project		

Section 2. Funds in the amount of $600,000 for architectural and engineering services are hereby placed on reserve pending finalized contract cost details, to be released by the Finance Committee."

6/12/91 jlb

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: _____
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

Edward Harrington
CONTROLLER

ac(1155ADM14)

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
June 17, 1991	June 24, 1991
Ayes: Supervisors Alioto Gonzalez Hallinan Hsieh Kennedy Maher Shelley Ward	Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley
Absent: Supervisors Achtenberg Britt Migden	Absent: Supervisors Britt Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John Taylor
Clerk

File No.
101-90-115

JUN 26 1991
Date Approved

Mayor

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FILE NO. 101-90-118 ORDINANCE NO. 251-91

RO #90295 SA #170

(Government Funding)

APPROPRIATING $2,215,000 FOR CAPITAL IMPROVEMENT PROJECT (ISLAIS CREEK TRANSPORT DESIGN), CLEANWATER PROGRAM FOR FISCAL YEAR 1990-91.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1990-91 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
35-896	Sewer Revenue Bond Fund Series 1988		
90-05-00	Cleanwater Program		
Project 896-00	Sewer Revenue Bond - General		
G.L. 496 (008755)	Year End Suprlus	$ 2,215,000	
20-2030 (770602)	Capital Improvement Project		$ 2,215,000

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

CONTROLLER

957-appadm/ch1/75

Board of Supervisors, San Francisco

Passed for Second Reading

June 17, 1991

Ayes: Supervisors Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Shelley Ward

Absent: Supervisors Achtenberg Migden

Finally Passed

June 24, 1991

Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley

Absent: Supervisors Britt Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco.

Clerk

File No. 101-90-118

JUN 26 1991
Date Approved

Mayor

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FILE NO. 101-90-119

ORDINANCE NO. 252-91

90297 113

RO #90295 SA #170

(Government Funding)

6/12/91 jlb

APPROPRIATING ~~$7,199,615~~ $7,175,562 FOR PERMANENT SALARIES - MISCELLANEOUS, DIFFERENTIAL PAY, OVERTIME AND HOLIDAY PAY - UNIFORM, EXTENDED WORK WEEK AND RETROACTIVE SALARIES, RESCINDING $1,253,863 FROM TEMPORARY SALARIES, PERMANENT SALARIES - UNIFORM AND RETIREMENT - CITY, $195,396 FROM SENIOR ESCORT SERVICE'S PERMANENT SALARIES AND MANDATORY FRINGE BENEFITS AND $107,402 FROM OFFICE OF CITIZEN COMPLAINT'S PERMANENT SALARIES, OVERTIME AND MANDATORY FRINGE BENEFITS, POLICE DEPARTMENT FOR FISCAL YEAR 1990-91; PROVIDING FOR RATIFICATION OF ACTION PREVIOUSLY TAKEN; SUBJECT OF PREVIOUS BUDGETARY DENIAL.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1990-91 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
01-001	General Fund		
G.L. 496 (000026)	Unappropriated Revenue Reserved		
6/12/91 jlb Subsidiary 000006	General Reserve	$ 5,618,901 ~~$ 5,642,964~~	
38-02-52	Traffic Enforcement		
02-0200 (580175)	Temporary Salaries	$ 67,390	
38-02-51	Patrol		
02-0020 (582015)	Permanent Salaries - Uniform	$ 490,714	
04-0602 (582015)	Retirement - Uniform	695,759	
	Total - Patrol	$ 1,186,473	
38-06-41	Senior Escort Service		
01-0010 (580142)	Permanent Salaries	$ 128,751	
04-0600 (580142)	Retirement	66,645	
	Total - Senior Escort Service	$ 195,396	
38-90-43	Office of Citizen Complaints		
01-0010 (580159)	Permanent Salaries	$ 73,608	
03-0100	Overtime	1,693	
04-0600	Retirement	32,101	
	Total - Office of Citizen Complaints	$ 107,402	

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
38-02-51	Patrol		
6/12/91 jlb 01-0010 (582015)	Permanent Salaries - Miscellaneous		$ 505,509 ~~$ 527,878~~
02-0140	Differential Pay		858,316 ~~860,000~~
03-0101	Overtime - Uniform		2,940,000
03-0121	Holiday Pay - Uniform		170,000
03-0130	Extended Work Week		2,500,000
05-0176	Retroactive Salaries		201,737
6/12/91 jlb		$ 7,175,562	$ 7,175,562
	Grand Total	~~$ 7,199,615~~	~~$ 7,199,615~~

Section 2. Although the City has incurred no legal obligation under the Charter, the Board of Supervisors does hereby appropriate the funds necessary for the obligation and does hereby ratify the action previously taken.

Section 3. This ordinance is adopted by a two-thirds vote of all members of the Board of Supervisors pursuant to Section 6.306 of the Charter. These items were previously requested by budget estimate and denied by the Board of Supervisors.

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: B. Gwk
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

Edward Harrington by
CONTROLLER

957-appropdn/ch1/77878

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Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
	§	
June 17, 1991	§	June 24, 1991
	§	
	§	
Ayes: Supervisors Alioto Gonzalez Hallinan Hsieh Kennedy Maher Shelley Ward	§	Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley
	§	
Absent: Supervisors Achtenberg Britt Migden	§	Absent: Supervisors Ward
	§	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
101-90-119

JUN 26 1991
Date Approved

Mayor

6/12/91 - As amended in Committee.

FILE NO. 101-90-121

ORDINANCE NO. 253-91

RO #90298 SA #195

(Government Funding)

APPROPRIATING $47,925,000 FOR VARIOUS CAPITAL IMPROVEMENT PROJECTS, WATER DEPARTMENT FOR FISCAL YEAR 1990-91; PLACING $14,000,000 ON RESERVE.

6/12/91 jlb

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1990-91 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
32-891	1991 Water Bond Fund		
47-00-00	Water Department		
55-5500 (060723)	Proceeds - Sale of Bonds	$47,925,000	
Project 101-01	Calaveras Pipeline		
20-2030 (741348)	Capital Improvement Project		$11,300,000
Project 102-01	San Andreas Pipeline No. 3		
20-2030 (741348)	Capital Improvement Project		15,000,000
Project 103-01	Main Replacement		
20-2030 (741348)	Capital Improvement Project		19,125,000
Project 104-01	Service Renewals		
20-2030 (741348)	Capital Improvement Project		2,500,000
	Total	$47,925,000	$47,925,000

Section 2. Funds totalling $14,000,000 ($3.5 million of Main Replacement Program for construction costs pending identification of contractors and MBE/WBE status and $10.5 million of San Andreas Pipeline No. 3 Relining Project for construction costs pending indentification of contractors) are hereby placed on reserve, to be released by the Finance Committee.

6/12/91 jlb

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: _____
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

Edward Harrington
CONTROLLER

957-appadm/chl/79

Board of Supervisors, San Francisco

Passed for Second Reading

June 17, 1991

Ayes: Supervisors Alioto Gonzalez Hallinan Hsieh Kennedy Maher Shelley Ward

Absent: Supervisors Achtenberg Britt Migden

Finally Passed

June 24, 1991

Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley

Absent: Supervisors Britt Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 101-90-121

JUN 26 1991
Date Approved

Mayor

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Finance

FILE NO. 101-90-122

ORDINANCE NO. 254-91

RO #90300 SA #191

(Government Funding)

APPROPRIATING $52,638 FOR PERMANENT SALARIES AND RELATED MANDATORY FRINGE BENEFITS, PUBLIC HEALTH FOR FISCAL YEAR 1990-91.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1990-91 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
02-453	Special Revenue Fund		
83-02-20	Records and Statistics		
Project 070-01	Vital and Health Statistics		
75-7508 (053199)	Other Health Fees	$ 52,638	
01-0010 (734186)	Permanent Salaries - Miscellaneous		$ 44,380
04-0600	Retirement		3,746
04-0606	Social Security		2,253
04-0610	Health Service		2,241
04-0620	Unemployment Insurance		18
	Total	$ 52,638	$ 52,638

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

Edward Harrington
CONTROLLER

957-appadm/cbl/81

Board of Supervisors, San Francisco

Passed for Second Reading

June 17, 1991

Ayes: Supervisors Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Shelley Ward

Absent: Supervisors Achtenberg Migden

Finally Passed

June 24, 1991

Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley

Absent: Supervisors Britt Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco.

Clerk

File No. 101-90-122

JUN 26 1991
Date Approved

Mayor

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Finance

FILE NO. 101-90-123

ORDINANCE NO. 255-91

RO #90301 SA #197

(Government Funding)

REDUCING $1,516,882 FROM STORES FUND (MATERIALS AND SUPPLIES) SAN FRANCISCO GENERAL HOSPITAL FOR FISCAL YEAR 1990-91.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1990-91 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
36-400	Stores Fund		
86-00-00	San Francisco General Hospital		
11-1300 (461681)	Materials and Supplies	$1,516,882	
49-4900 (906727)	Revenue Transfer Out to #36-001;		
	Hospital Operating Fund		$1,516,882
36-001	Hospital Operating Fund		
99-9990 (226308)	Revenue Transfer In From #36-400; Stores Fund	$1,516,882	
G.L. 317 (027920)	Reserve For Prior Year Adjustment		$1,516,882

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: _____
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

Edward Harrington
CONTROLLER

957-wpppadm/chl/80

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
June 17, 1991	June 24, 1991
Ayes: Supervisors Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Shelley Ward	Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley
Absent: Supervisors Achtenberg Migden	Absent: Supervisors Britt Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
101-90-123

JUN 26 1991
Date Approved

Mayor

JUL 18 1991
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6/12/91 - As amended in Committee.

FILE NO. 101-90-124

ORDINANCE NO. 256-91

RO #90302 SA #196

(Government Funding)

APPROPRIATING $7,648,988 FOR VARIOUS CAPITAL IMPROVEMENT PROJECTS, RECREATION AND PARK, CITY ATTORNEY, CHIEF ADMINISTRATIVE OFFICER AND CONTROLLER FOR FISCAL YEAR 1990-91; PLACING $5,248,650 ON RESERVE.

6/12/91 jlb

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1990-91 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
05-609	1987 Park Improvement Bond Fund		
55-5500 (050328)	Proceeds - Sale of Bonds	$ 6,127,819	
55-5502 (050328)	Interest on Bonds Sold	1,521,169	
42-04-02	Recreation and Park		
Project 001-01	Miscellaneous Project Services		
20-2030 (620294)	Capital Improvement Project		$ 80,000
Project 100-01	Park Facilities Improvement		
20-2030 (620294)	Capital Improvement Project		7,544,388
	Total - Recreation and Park		$7,624,388
03-04-00	City Attorney		
Project	Legal Services		
20-2030 ( )	Capital Improvement Project		$ 12,500
70-04-00	Chief Administrative Officer		
Project	Financial Consultation		
20-2030 ( )	Capital Improvement Project		$ 1,500
09-03-00	Controller		
Project	Financial Services		
20-2030 ( )	Capital Improvement Project	$	$ 10,600
	Grand Total	$1,648,988	$7,648,988

6/12/91 jlb

Section 2. Funds in the amount of $5,248,650 for contractual services are hereby placed on reserve pending identification of firms, budget information and MBE/WBE status of contractors, to be released by the Finance Committee.

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY:

FUNDS AVAILABLE:

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
June 17, 1991	June 24, 1991
Ayes: Supervisors Alioto Gonzalez Hallinan Hsieh Kennedy Maher Shelley Ward	Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley
Absent: Supervisors Achtenberg Britt Migden	Absent: Supervisors Britt Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 101-90-124

JUN 26 1991
Date Approved

Mayor

JUL 18 1991
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Trans

6/12/91 - As amended in Committee.

FILE NO. 101-90-125

ORDINANCE NO. 257-91

RO #90303 SA #194

(Government Funding)

APPROPRIATING $541,000 FOR CAPITAL IMPROVEMENT PROJECT (BEST MANAGEMENT PRACTICES PROGRAM), CLEANWATER PROGRAM FOR FISCAL YEAR 1990-91, PLACING $130,000 ON RESERVE.

6/12/91 jlb

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1990-91 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
35-525	General Obligation Bonds Interest Accumulation Fund		
90-05-00	Cleanwater Program		
Project 103-00	General		
G.L.495 (035030)	Committment From Fund Balance	$ 541,000	
Project 103-02	Best Management Practices Program		
20-2030 (543793)	Capital Improvement Project		$ 541,000

Section 2. Funds in the amount of $130,000 for consulting services for implementation of the Study Plan are hereby placed on reserve pending selection of consultant and determination of hours, rates and MBE/WBE status, to be released by the Finance Committee.

6/12/91 jlb

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: _____
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

Edward Harrington
CONTROLLER

957-appadm/ch1/82

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
June 17, 1991	June 24, 1991
Ayes: Supervisors Alioto Gonzalez Hallinan Hsieh Kennedy Maher Shelley Ward	Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley
Absent: Supervisors Achtenberg Britt Migden	Absent: Supervisors Britt Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
101-90-125

JUN 26 1991
Date Approved

Mayor

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6/12/91 - As amended in Committee.

FILE NO. 101-90-126

ORDINANCE NO. 358-91

RO #90304 SA #192

(Government Funding)

APPROPRIATING $24,402 FOR CAPITAL IMPROVEMENT PROJECT (5TH AND HARRISON STREETS CISTERN) AND CERTIFYING $24,402 FROM CAPITAL IMPROVEMENT PROJECT (5TH AND HARRISON STREETS CISTERN), TO COVER OVERAGE ABOVE TEN PERCENT (10%) OF CONTRACTED AMOUNT PURSUANT TO PROVISIONS OF CHARTER SECTION 7.203, PUBLIC WORKS FOR FISCAL YEAR 1990-91; PROVIDING FOR RATIFICATION OF ACTION PREVIOUSLY TAKEN.

6/12/91 jlb

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1990-91 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
06-512	Capital Project Fund Group		
90-06-00	Public Works		
Project 090-40	5th and Harrison Cistern		
20-2030 (600528)	Capital Improvement Project	$ 24,402	$ 24,402

Section 2. Although the City has incurred no legal obligation, the Board of Supervisors does hereby ratify the action previously taken.

6/12/91 jlb

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

FUNDS AVAILABLE:

BY: _____ DEPUTY CITY ATTORNEY

Edward Harrington by _____ CONTROLLER

957-appprdn/ch1/84

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
June 17, 1991	June 24, 1991
Ayes: Supervisors Alioto Gonzalez Hallinan Hsieh Kennedy Maher Shelley Ward	Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley
Absent: Supervisors Achtenberg Britt Migden	Absent: Supervisors Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco.

_____ Clerk

File No. 101-90-126

JUN 26 1991
Date Approved

_____ Mayor

JUL 18 1991
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6/12/91 - As amended in Committee.

FILE NO. 101-90-127

ORDINANCE NO. 259-91

RO #90305 SA #189

(Government Funding)

APPROPRIATING $26,500,000 FOR VARIOUS CAPITAL IMPROVEMENT PROJECTS AND PROGRAM PROJECT BUDGET, PUBLIC WORKS, CHIEF ADMINISTRATIVE OFFICER, CITY ATTORNEY AND CONTROLLER FOR FISCAL YEAR 1990-91; PLACING $16,427,980 ON RESERVE.

6/12/91 jlb

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1990-91 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
05-615	1990 Earthquake Safety Bond Fund		
55-5500 (054569)	Proceeds - Sale of Bonds	$ 26,500,000	
90-02-00	Public Works - Architecture		
Project 002-01	Planning/Project Control		
20-2030 (772194)	Capital Improvement Project		$ 1,150,000
Project 100-01	Various Buildings/Facilities Improvement		
20-2030 (772194)	Capital Improvement Project		4,387,868
Project 500-01	City Hall and Public Health Headquarters		
20-2030 (772194)	Capital Improvement Project		19,455,798
Project 600-01	Performing Arts Building		
20-2030 (772194)	Capital Improvement Project		1,362,334
	Total - Public Works		$26,356,000
70-04-01	Chief Administrative Officer		
Project 004-00	Financial Consultation		
20-2010 (420539)	Program Project Budget		$ 7,000
03-04-00	City Attorney		
Project	Legal Services		
20-2010 (302208)	Program Project Budget		$ 90,000
09-03-00	Controller		
Project	Financial Services		
20-2010 (310219)	Program Project Budget		$ 47,000
	Grand Total	$26,500,000	$26,500,000

Section 2. Funds in the amount of $16,427,980 for contractual services are hereby placed on reserve pending selection of contractors and determination of their MBE/WBE status, to be released by the Finance Committee.

6/12/91 jlb

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: [signature]
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

[signature]
CONTROLLER

957-appadm/ch1/86487

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Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
	§	
June 17, 1991	§	June 24, 1991
	§	
	§	
Ayes: Supervisors Alioto Gonzalez Hallinan Hsieh Kennedy Maher Shelley Ward	§	Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley
	§	
Absent: Supervisors Achtenberg Britt Migden	§	Absent: Supervisors Britt Ward
	§	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
101-90-127

JUN 26 1991
Date Approved

Mayor

6/12/91 - As amended in Committee.

FILE NO. 101-90-128

ORDINANCE NO. 260-91

RO #90306 SA #188

(Government Funding)

APPROPRIATING $6,500,000 FOR VARIOUS CAPITAL IMPROVEMENT PROJECTS, CITY ATTORNEY, CONTROLLER, FIRE DEPARTMENT, CHIEF ADMINISTRATIVE OFFICER AND PUBLIC WORKS FOR FISCAL YEAR 1990-91; PLACING $4,098,535 ON RESERVE.

6/12/91 jlb

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1990-91 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
05-613	1989 Earthquake Safety Bond Fund		
55-5500 (053595)	Proceeds - Sale of Bonds	$ 6,500,000	
03-00-00	City Attorney		
Project 001-01	Legal Services		
20-2030 (302190)	Capital Improvement Project		$ 90,000
09-00-00	Controller		
Project 001-02	Financial Services		
20-2030 (310144)	Capital Improvement Project		$ 11,500
31-03-00	Fire Department		
Project 100-01	Various Fire Stations - Improvements		
20-2030 (530261)	Capital Improvement Project		$ 5,965,715
70-04-00	Chief Administrative Officer		
Project	Financial Consultation		
20-2030 ( )	Capital Improvement Project		$ 1,700
90-02-00	Public Works - Architecture		
Project 190-01	Seismic Hazard		
20-2030 (772152)	Capital Improvement Project		$ 431,085
	Grand Total	$ 6,500,00	$ 6,500,000

Section 2. Funds in the amount of $4,098,535 for contractual services are hereby placed on reserve, pending selection of contractors and determination of their MBE/WBE status, to be released by the Finance Committee.

6/12/91 jlb

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY:

FUNDS AVAILABLE:

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
June 17, 1991	June 24, 1991
Ayes: Supervisors Alioto Gonzalez Hallinan Hsieh Kennedy Maher Shelley Ward	Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley
Absent: Supervisors Achtenberg Britt Migden	Absent: Supervisors Britt Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 101-90-128

JUN 26 1991
Date Approved

Mayor

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SAN FRANCISCO

6/12/91 - As amended in Committee.

CITY AND COUNTY OF SAN FRANCISCO

INTERIM

CONSOLIDATED BUDGET

AND

ANNUAL APPROPRIATION ORDINANCE

FISCAL YEAR ENDING JUNE 30, 1992

File No. 101-91-1 Ordinance No. 261-91 (Interim Budget)

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
June 17, 1991	June 24, 1991
Ayes: Supervisors Alioto Gonzalez Hallinan Hsieh Kennedy Maher Shelley Ward	Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley
Absent: Supervisors Achtenberg Britt Migden	Absent: Supervisors Britt Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 101-91-1

JUN 26 1991
Date Approved

Mayor

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6/12/91 - As amended in Committee

CITY AND COUNTY OF SAN FRANCISCO

INTERIM

ANNUAL SALARY ORDINANCE

FISCAL YEAR ENDING JUNE 30, 1992

FILE NO. 102-91-1 262-91 Ordinance No. (Interim Salary Ordinance)

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
June 17, 1991	§	June 24, 1991
Ayes: Supervisors Alioto Gonzalez Hallinan Hsieh Kennedy Maher Shelley Ward	§	Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley
Absent: Supervisors Achtenberg Britt Migden	§	Absent: Supervisors Britt Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 102-91-1

JUN 26 1991
Date Approved

Mayor

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FILE NO. 45-91-30

ORDINANCE NO. 263-91

RO #90277

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF PAULINE LOMBA AGAINST THE CITY AND COUNTY OF SAN FRANCISCO FOR $6,500.00.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized to settle the action entitled "PAULINE LOMBA VS. THE CITY AND COUNTY OF SAN FRANCISCO, et al.," Superior Court No. 908-545, by the payment of $6,500.00.

APPROVED AS TO FORM AND RECOMMENDED:

KIMBERLY A. REILEY
Chief Trial Deputy

RECOMMENDED

FINE ARTS MUSEUMS OF SAN FRANCISCO

By: HARRY PARKER, Director

FUNDS AVAILABLE:

CONTROLLER

01 001 97 09 61
401208 1450 $6,500.00

MAY 08 1991

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
June 17, 1991	June 24, 1991
Ayes: Supervisors Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Shelley Ward	Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley
Absent: Supervisors Achtenberg Migden	Absent: Supervisors Britt Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 45-91-30

JUN 26 1991
Date Approved

Mayor

JUL 18 1991
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FILE NO. 45-91-33 ORDINANCE NO. 264-91

RO #90291

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF LAURA TOLAND AGAINST THE CITY AND COUNTY OF SAN FRANCISCO FOR $6,500.

Be it ordained by the People of the City and County of San Francisco:

Section I. The City Attorney is hereby authorized to settle the action entitled "LAURA TOLAND v. CITY AND COUNTY OF SAN FRANCISCO, et al.," Superior Court No. 925-976 by the payment of $6,500.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

KIMBERLY A. REILEY
Chief Trial Deputy

RECOMMENDED:

for RICHARD J. EVANS, Director
Department of Public Works

FUNDS AVAILABLE:

EDWARD M. HARRINGTON
Controller

01 001 97 09 90
309674 1450 $6,500.00

MAY 21 1991

APPROVED:

RUDOLF NOTHENBERG
Chief Administrative Officer

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
June 17, 1991	June 24, 1991
Ayes: Supervisors Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Shelley Ward	Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley
Absent: Supervisors Achtenberg Migden	Absent: Supervisors Britt Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 45-91-33

JUN 26 1991
Date Approved

Mayor

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FILE NO. 46-91-7 ORDINANCE NO. 265-91

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF WILLIAM A. ARIETTA V. DAVID F. JOHNSON, U-HAUL RENTALS, ET AL., UPON RECEIPT OF THE SUM OF $7,500.00 AND DISMISSAL OF COMPLAINT.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized and directed to settle San Francisco Superior Court No. 911032 entitled "William A. Arietta, Plaintiff, v. David F. Johnson, U-Haul Rentals, et al., Defendants" by acceptance of the sum of $7,500.00 from the defendants and dismissing complaint.

Section 2. Upon receipt of said sum of $7,500.00 and appropriate paperwork, the City Attorney is authorized to dismiss said complaint.

APPROVED AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

By Kimberly A. Reiley
KIMBERLY A. REILEY
Chief Trial Deputy

RECOMMENDED:

RETIREMENT BOARD
SAN FRANCISCO CITY AND COUNTY
EMPLOYEES' RETIREMENT SYSTEM

By Pam Levesque
PAM LEVESQUE
Executive Assistant to
General Manager

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
June 17, 1991	June 24, 1991
Ayes: Supervisors Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Shelley Ward	Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley
Absent: Supervisors Achtenberg Migden	Absent: Supervisors Britt Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 46-91-7

JUN 26 1991
Date Approved

Mayor

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FILE NO. 90-91-2 ORDINANCE NO. 266-91

DESIGNATING THE PATH OF GOLD LIGHT STANDARDS AS A LANDMARK PURSUANT TO ARTICLE 10 OF THE CITY PLANNING CODE.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The Board of Supervisors hereby finds that the Path of Gold Light Standards which span from 1 Market Street through 2490 Market Street, being 327 light standards/trolley poles, has a special character and special historical, architectural and aesthetic interest and value, and that its designation as a Landmark will further the purposes of, and conform to the standards set forth in Article 10 of the City Planning Code. The landmark site shall consist only of each light fixture itself including the ornamental poles and lamp globes.

(a) Designation: Pursuant to Section 1004 of the City Planning Code, Chapter II, Part II of the San Francisco Municipal Code, the Path of Gold Light Standards is hereby designated as a Landmark, this designation having been fully approved by Resolution No. 13049 of the City Planning Commission, which Resolution is on file with the Clerk of the Board of Supervisors under File No. 91.062L and is incorporated herein and made a part of hereof as though fully set forth.

(b) Required Data: The description of the location and boundaries of the Landmark site, of the characteristics of the Landmark which justify its designation, and of the particular features that should be preserved are included in the said Resolution, and incorporated in this designating ordinance as though fully set forth.

APPROVED AS TO FORM:
LOUISE H. RENNE
CITY ATTORNEY
By [signature]
Deputy City Attorney

RECOMMENDED:
CITY PLANNING COMMISSION
By [signature]
Dean L. Macris
Director of Planning

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
June 17, 1991	June 24, 1991
Ayes: Supervisors Alioto Gonzalez Hallinan Hsieh Kennedy Maher Shelley Ward	Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley
Absent: Supervisors Achtenberg Britt Migden	Absent: Supervisors Britt Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

[signature]
Clerk

File No. 90-91-2

JUN 26 1991
Date Approved

[signature]
Mayor

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JUL 18 1991
SAN FRANCISCO

FILE NO. 97-91-37 ORDINANCE NO. 267-91

[VEHICLE THEFT CRIMES FUND]

AMENDING THE SAN FRANCISCO ADMINISTRATIVE CODE BY ADDING SECTION 10.117-109 THERETO, TO ESTABLISH THE VEHICLE THEFT CRIMES FUND.

Note: This entire section is new.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The San Francisco Administrative Code is hereby amended by adding Section 10.117-109 thereto, to read as follows:

SEC. 10.117-109. VEHICLE THEFT CRIMES FUND.

(a) Establishment of Fund.

There is hereby established a special fund for the purpose of receiving money which reflects the California Department of Motor Vehicle's one dollar ($1.00) surcharge on vehicles registered to a San Francisco address pursuant to California Vehicle Code §9250.14. Said special fund shall be known and designated as the Vehicle Theft Crimes Fund. The Police Commission is authorized to accept, on behalf of the City and County, any such money received from the State Controller's office. Such money shall be used exclusively for deterring, investigating or prosecuting vehicle theft crimes.

(b) Expenditure of Monies.

The monies in this fund are hereby appropriated for the purposes enumerated in subsection (a), and consistent with any state guidelines for their use. Subject to the review of the Police Commission, the Chief of Police may disburse sums from this fund. No costs which may be incurred by any City department in administering this fund shall be recovered therefrom.

(c) Accumulation of Monies.

The balance remaining in this Fund after December 31, 1995, shall be returned to the State Controller for deposit in the Motor Vehicle account in the State Transportation Fund.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By: Mara E. Rosales
Deputy City Attorney

BOARD OF SUPERVISORS

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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
June 17, 1991	June 24, 1991
Ayes: Supervisors Alioto Gonzalez Hallinan Hsieh Kennedy Maher Shelley Ward	Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley
Absent: Supervisors Achtenberg Britt Migden	Absent: Supervisors Britt Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
97-91-37

JUN 26 1991
Date Approved

Mayor

Amendment of the whole
6/11/91

File No. 115-91-7 Ordinance No. 268-91

AMENDMENT TO PART II, CHAPTER II OF THE SAN FRANCISCO MUNICIPAL CODE (CITY PLANNING CODE) BY AMENDING SECTION 188 OF ARTICLE 1.7 TO PERMIT ENLARGEMENT OF LAWFUL NON-COMPLYING STRUCTURES LOCATED ON A LANDMARK SITE OR AN ARCHITECTURALLY SIGNIFICANT BUILDING SITE AND CONTRIBUTORY BUILDINGS WITHIN HISTORIC OR CONSERVATION DISTRICTS, AND ALLOW THE ALTERATION OF EXTERIOR FACADES, ROOFTOP FEATURES OR LIFE SAFETY/MECHANICAL/ENVIRONMENTAL CONTROL SYSTEMS FOR NON-COMPLYING BUILDINGS IN THE C-3 DISTRICTS AND ADOPTING FINDINGS PURSUANT TO PLANNING CODE SECTION 101.1.

NOTE: Additions are underlined; deletions are in ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Sec. 1. Legislative Findings: One of the objectives of the City Planning Code is the preservation of architecturally and historically significant buildings located within the jurisdiction of the City and County of San Francisco. Many of the City's buildings particularly architecturally or historically significant structures are older and do not meet today's Building Code, Fire Code, Seismic Safety requirement and provisions of the City Planning Code. Relaxation of the regulations which prohibit any type of enlargement of older non-complying structures is necessary to encourage rehabilitation of these structures to comply with today's Building Code, Fire Code, Seismic Safety requirements and requirements of the City Planning Code. Certain non-historic non-complying structures located within the Downtown C-3 Districts do not meet today's Building Code, Fire Code, Seismic Safety requirement and provisions of the City Planning Code and may not be able to provide modern mechanical and safety systems without minor enlargement of the building. Many of these structures may not be able to provide architectural rehabilitation and remodeling which would improve the building appearance without expanding the building envelope beyond that allowed by the Planning Code. Many of the historic structures may not be able to meet the strict requirements of Planning Code which are triggered by conversion of use without minor enlargement of the building. Therefore, it is in the interest of public health, safety and welfare to allow limited enlargement of noncomplying structures. In order to facilitate adaptive reuse and/or rehabilitation of architecturally or historically significant buildings, it may be necessary to enlarge such lawful noncomplying structures in order that the rehabilitated structure will meet today's Building Code, Fire Code, Seismic Safety Requirement and certain provisions of the City Planning Code. In order to facilitate the remodeling of lawful non complying structures within the C-3 Districts so that the rehabilitated structure will meet today's Building Code, Fire Code, Seismic Safety Requirement and certain provisions of the City Planning Code. Therefore, it is in the interest of public health and safety to allow enlargement of noncomplying structures.

Sec. 2. Part II, Chapter II of the San Francisco Municipal Code (City Planning Code is hereby amended by amending Section 188 thereof by adding subsection (d) to read as follows:

Sec. 188. NONCOMPLYING STRUCTURES: ENLARGEMENTS, ALTERATIONS AND RECONSTRUCTION.

(a) Within the limitations of this Article 1.7 and especially Section 172 and 180 thereof, a noncomplying structure as defined in Section 180 may be enlarged, altered or relocated, or undergo a change or intensification of use, provided that with respect to such structure there is no increase in any discrepancy, or any new discrepancy, at any level of the structure, between existing conditions on the lot and the required standards for new construction set forth in this Code, and provided the remaining requirements of this Code are met.

(b) A noncomplying structure that is damaged or destroyed by fire, or

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other calamity, or by Act of God, or by the public enemy, may be restored to its former condition; provided that such restoration is permitted by the Building Code, and is started within one year and diligently prosecuted to completion. Except as provided in subsection (c) below, no noncomplying structure that is voluntarily razed or required by law to be razed by the owner thereof may thereafter be restored except in full conformity with the requirements of this Code.

(c) In order that major life safety hazards in residential structures may be eliminated as expeditiously as possible, a noncomplying structure containing dwelling units or other housing units, and constructed of unreinforced masonry that is inconsistent with the requirements of the San Francisco Building Code effective September 11, 1947, may be voluntarily razed and restored or reconstructed with the same number of residential units; provided that with respect to such structure there is no increase in any discrepancy, or any new discrepancy, at any level of the structure, between existing conditions on the lot and the required standards for new construction set forth in this Code; provided further that the current requirements of the Building Code, the Housing Code, and other applicable portions of the Municipal Code are met, and provided further that such restoration or reconstruction is started within one year after razing or other demolition work on the structure and diligently procescuted to completion.

(d) Notwithstanding subsection (a) of this section, a noncomplying structure as defined in Section 180, may add non-usable space. Non-usable space is space not used for living, sleeping, eating, cooking or working. Public corridors, mechanical space, fire stairs and similar areas, are non-usable space. The enlargement must:

(1) Facilitate the adaptive reuse or the rehabilitation of a

landmark site or contributory structure within a Historic District designated under Article 10 of this Code or a significant structure or contributory structure within a Conservation District designated under Article 11 of this Code; and

(A) Be necessary to comply with Building Code, Fire Code or Planning Code requirements; or

(B) Enhance the life safety aspects of the building and/or mechanical, environmental control systems; or

(2) Be located within a C-3 District, and:

(A) Be necessary to comply with Building Code, Fire Code or Planning Code requirements; or

(B) Enhance aesthetic qualities and/or character; or

(C) Enhance the life safety aspects of the building and/or mechanical, environmental control systems; or

(D) Accommodate rooftop features exempted from height limits under Section 260(b) or as provided for under Sections 270, 271 or 272 of this Code.

(3) Application for enlargement of a noncomplying structure under subsection (d)(1) shall be considered as part of an application for a Certificate of Appropriateness under Article 10 or a Permit to Alter under Article 11 of this Code. Any application to enlarge a noncomplying structure under Article 11 shall be considered as a major alteration under Section 1111 of the Planning Code. Application to alter a noncomplying structure not designated an Article 11 significant or contributory building under subsection (d)(2) shall be considered under the provisions of Section 309(b) of this Code. These applications shall be subject to the following additional criteria:

(a) that the enlargement promote the health, safety and welfare

of the public; and

(b) that the enlargement not cause significant shadows or wind impacts on public sidewalks and parks; and

(c) that the structure provides an appropriate transition to adjacent properties, as necessary; and

(d) that the interior block open space formed by the rear yards of abutting properties will not be adversely affected, and;

(e) that the access of light and air to abutting properties will not be significantly affected, and;

(f) that public view corridors not be significantly affected, and;

(4) The City Planning Commission, subject to the same application procedures of Section 188(d)3 above, may grant an exception to the Planning Code requirements rather than expansion of the structure to accommodate the Planning Code requirements. The exception of the Planning Code requirement shall be subject to the criteria below:

(a) that the exception promote the health, safety and welfare of the public; and

(b) that the exception result in an increased benefit to the public and the adjacent properties over the increase in non conformance; and

(c) that the exception not be detrimental to either the occupants of the proposed project or to the neighborhood.

Sec. 3. The San Francisco Board of Supervisors hereby finds that this ordinance is on balance consistent with the Priority Policies in Section 101.1 of the San Francisco Municipal Code (the City Planning Code) and consistent with the Master Plan and adopts the findings in City Planning Commission Resolution No. 13019 related to the Eight Priority Policies of Section 101.1

of the Planning Code and the Master Plan.

APPROVED AS TO FORM:
LOUISE H. RENNE
CITY ATTORNEY

By
Deputy City Attorney

RECOMMENDED:
CITY PLANNING COMMISSION

By
Dean L. Macris
Director of Planning

JUL 18 1991
SAN FRANCISCO

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
June 17, 1991	June 24, 1991
Ayes: Supervisors Alioto Gonzalez Hallinan Hsieh Kennedy Maher Shelley Ward	Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley
Absent: Supervisors Achtenberg Britt Migden	Absent: Supervisors Britt Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
115-91-7

JUN 26 1991
Date Approved

Mayor

As amended 6/17/91

FILE NO. 116-91-1.1 ORDINANCE NO. 269-91

(Electrical Code)

REPEALING PART II, CHAPTER III OF THE SAN FRANCISCO MUNICIPAL CODE (ELECTRICAL CODE); ADOPTING IN ITS ENTIRETY A NEW SAN FRANCISCO ELECTRICAL CODE.

Note: This material is entirely new.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Part II, Chapter III of the San Francisco Municipal Code (Electrical Code) is hereby repealed in its entirety.

6/17/91 ejp

as amended 6/17/91

Section 2. A document, three copies of which are on file in the office of the Clerk of the Board of Supervisors of the City and County of San Francisco, being marked and designated as the "1991 San Francisco Electrical Code", is hereby adopted as the Electrical Code for the City and County of San Francisco, and shall be codified as Part II, Chapter III of the Municipal Code.

Section 3. Nothing contained in this or the preceding sections shall be construed as abating any action now pending under or by virtue of any ordinance of the City herein repealed; or as discontinuing, abating, modifying or altering any penalties accruing, or to accrue, or as waiving any right of the City under any ordinance regulating the design, construction, erection, alteration, repair, demolition, maintenance and use of electrical systems in force at the time of passage of this ordinance.

Section 4. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this ordinance or any part thereof is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this ordinance or any part thereof. The Board of Supervisors hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional or invalid or ineffective.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By Judith A. Bajajian
Deputy City Attorney

RECOMMENDED:

Deputy Director and
City Engineer

DESCRIPTION APPROVED:

Superintendent, Bureau
of Building Inspection

APPROVED:

Director of Public Works

APPROVED:

Chief Administrative Officer

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Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
	§	
June 17, 1991	§	June 24, 1991
	§	
	§	
Ayes: Supervisors Alioto Gonzalez Hallinan Hsieh Kennedy Maher Shelley Ward	§	Ayes: Supervisors Alioto Britt Gonzalez Hallinan Kennedy Shelley
	§	
	§	
Absent: Supervisors Achtenberg Britt Migden	§	Absent: Supervisors Achtenberg Ward Hsieh Maher Migden

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
116-91-1.1

JUN 26 1991
Date Approved

Mayor

FILE NO. 124-91-3

ORDINANCE NO. 270-91

(Parking Meters)

AMENDING PART II, CHAPTER XI OF THE SAN FRANCISCO MUNICIPAL CODE (TRAFFIC CODE) BY AMENDING SECTION 32.8.7 THEREOF TO REMOVE THE PARKING FACILITY AT 50 BARTLETT STREET FROM THOSE OFF-STREET PARKING SITES ON WHICH PARKING METERS MAY BE USED.

[NOTE: Additions or substitutions are underlined; deletions are indicated by ((double parentheses)).]

Be it ordained by the People of the City and County of San Francisco:

Section 1. From and after September 1, 1991, Section 32.8.7 of Part II, Chapter XI of the San Francisco Municipal Code (Traffic Code) is amended to read as follows:

SEC. 32.8.7. MISSION DISTRICT. 20 HOFF STREET. 1 Lilac Street. ((50 Bartlett Street.))

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By Julian E. Halligan
Deputy City Attorney

RECOMMENDED:

Director of Parking and Traffic

1656w

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
June 17, 1991	June 24, 1991
Ayes: Supervisors Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Shelley Ward	Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley
Absent: Supervisors Achtenberg Migden	Absent: Supervisors Britt Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John Taylor
Clerk

File No.
124-91-3

JUN 28 1991
Date Approved

Mayor

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Amendment of the whole
6/11/91

File No. 36-91-4.1 Ordinance No. 271-91

(Zoning Map Change, 90.035ZEC)

ADOPTING CHANGES IN PROPERTY USE CLASSIFICATION AS AN AMENDMENT TO THE ZONING MAP OF THE CITY AND COUNTY OF SAN FRANCISCO FOR PROPERTY LOCATED ON CALIFORNIA STREET AT SABIN PLACE FROM A C-3-G DISTRICT TO CRNC DISTRICT AND ADOPTING CHANGES IN THE HEIGHT AND BULK CLASSIFICATION AS AN AMENDMENT TO THE ZONING MAP OF THE CITY AND COUNTY OF SAN FRANCISCO FOR PROPERTY LOCATED ON SACRAMENTO STREET BETWEEN STOCKTON STREET AND GRANT STREET FROM A 50-N TO A 65-A DISTRICT AND ADOPTING FINDINGS PURSUANT TO SECTION 101.1.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Pursuant to the Resolution of the Board of Supervisors, adopting the final negative declaration as its own, and pursuant to Section 302(c) of the City Planning Code, Part II, Chapter II of the San Francisco Municipal Code, the following changes in property use classification and building height and bulk classification, duly approved by resolution of the City Planning Commission, is hereby adopted as an amendment to the Zoning Map of the City and County of San Francisco.

Description of Property	Use District to be Superseded	Use District Hereby Approved
Beginning at a point on the westerly line of Sabin Place, formerly Salina Place, distant thereon 53 feet northerly from the northwesterly corner of Sabin Place and California Street; running thence northerly along said line of Sabin Place 84 feet, 6 inches; thence at a right angle westerly 58 feet; thence at a right angle southerly 82 feet, 6 inches; thence at a right angle easterly 27 feet, 10-1/4 inches; thence at a right angle southerly 2 feet; thence at a right angle easterly 30 feet, 1-3/4 inches to the point of beginning and being all of lot 7 in Assessor's Block 242; and	C-3-G (Downtown General Commercial)	CRNC (Chinatown Residential Neighborhood Commercial)
Beginning at the point of intersection of the northerly line of California Street and the westerly line of Sabin Place; running thence westerly and along said line of California Street 78 feet; thence at a right angle northerly 60 feet; thence at a right angle easterly 20 feet; thence at a right angle southerly 5 feet; thence at a right angle easterly 27 feet, 10-1/4 inches; thence at a right angle southerly 2 feet; thence at a right angle easterly 30 feet, 1-3/4 inches to the westerly line of Sabin Place; thence at a right angle southerly 53 feet to the point of beginning and being all of lot 10 in Assessor's Block 242.		

Description of Property	Height and Bulk District Superseded	Height and Bulk District Approved
Beginning at a point on the southerly line of Sacramento Street, distant thereon one hundred and thirty-seven (137) feet and six (6) inches westerly from the point formed by the intersection of the southerly line of Sacramento Street with the westerly line of Grant Avenue (formerly Dupont Street); and running thence westerly along said line of Sacramento Street one hundred and thirty-seven (137) feet and six (6) inches; thence at a right angle southerly one hundred and thirty-seven (137) feet and six (6) inches; thence at a right angle easterly one hundred and thirty-seven (137) feet and six (6) inches; and thence at a right angle northerly one hundred and thirty-seven (137) feet and six (6) inches to the point of beginning and being all of lot 27 in Assessor's Block 242.	50-N	65-A

Section 2. The subject lots are the site of a proposed Planned Unit Development.

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Section 3. The San Francisco Board of Supervisors hereby finds that this ordinance is on balance consistent with the Priority Policies in Section 101.1 of the San Francisco Municipal Code (the City Planning Code) and consistent with the Master Plan and adopts the findings in City Planning Commission Resolution No. 13062 related to the Eight Priority Policies of Section 101.1 of the Planning Code and the Master Plan.

APPROVED AS TO FORM

RECOMMENDED:

LOUISE RENNE, CITY ATTORNEY

By Judith A. Bayajian
Deputy City Attorney

CITY PLANNING COMMISSION

By Dean L. Macris
Dean L. Macris
Director of Planning

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
June 24, 1991	July 1, 1991
Ayes: Supervisors Alioto Britt Gonzalez Hallinan Kennedy Shelley	Ayes: Supervisors Achtenberg Alioto Britt Hallinan Hsieh Kennedy Migden Shelley
Absent: Supervisors Achtenberg Ward Hsieh Maher Migden	Absent: Supervisors Gonzalez Maher Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
36-91-4.1

JUL 0 3 1991
Date Approved

Mayor

FILE NO. 97-91-24 ORDINANCE NO. 272-91

[LEGISLATION - FISCAL IMPACT]

AMENDING THE SAN FRANCISCO ADMINISTRATIVE CODE BY ADDING SECTION 2.6-3 THERETO REQUIRING ANY RESOLUTION OR ORDINANCE HAVING A FISCAL IMPACT BE SO INDICATED, REQUIRING LEGISLATION CREATING A FISCAL IMPACT TO BE REFERRED TO THE FINANCE COMMITTEE FOR CONSIDERATION, REQUIRING THE SPONSOR OF SUCH LEGISLATION TO MAKE EVERY EFFORT TO IDENTIFY THE FUNDING SOURCE FOR THE PROPOSED LEGISLATION, AND REQUIRING THE BUDGET ANALYST TO PROVIDE THE BOARD OF SUPERVISORS WITH AN ANALYSIS OF THE TOTAL COST OF PROGRAMS PROVIDED BY LEGISLATION.

Note: This entire section is new.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The San Francisco Administrative Code is hereby amended by adding Section 2.6-3 to read as follows:

SEC. 2.6-3. LEGISLATION -- FISCAL IMPACT. Whenever any ordinance or resolution is introduced, the Clerk of the Board of Supervisors shall refer the ordinance or resolution to the Budget Analyst of the Board of Supervisors to review and to determine and inform the Board of Supervisors whether the legislation would have a fiscal impact. This Section shall not apply to the following types of legislation: ballot measures and ballot arguments; charter amendments; employee memoranda of understanding; salary standardization ordinances; interim zoning controls; landmark issues; land use issues; litigation settlements. The Budget Analyst, within three days of the receipt of the introduced legislation, shall determine whether the legislation would have

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fiscal impact, and shall notify the Clerk of the Board if the legislation has a fiscal impact. The Clerk shall identify in the Board's file, and on all Board and committee calendars, which items have fiscal impact, as determined by this Section.

"Fiscal Impact" is defined for the purposes of this Section to be a fiscal impact upon the City's funds in any fiscal year in excess of $10,000, or a total fiscal impact upon the City's funds in excess of $50,000 over a five year period.

For the purposes of this section, "fiscal impact" shall include, but not be limited to, any of the following which result in a fiscal impact in excess of $10,000 in any fiscal year or in excess of $50,000 over a five year period:

(1) Appropriation of funds or release of reserved funds.

(2) Increased or substantial expenditure of funds by: (a) imposing new responsibilities on the City or (b) imposing new or additional duties on a City department, agency, board, person or business having a contract with the City, or commission or (c) expanding any City program, function, or responsibility.

(3) Substantial loss of revenue to the City's General Fund or any special fund created by ordinance or charter.

(4) Substantial reduction of expenditures of City money by reducing, transferring, or eliminating any existing services or functions of any City department.

The sponsor or sponsors of legislation having a fiscal impact as determined under the provisions of this Section shall make every effort to identify the funding source for the proposed legislation.

When legislation has been assigned to a non-fiscal committee of the Board and it has been determined that the legislation has a fiscal impact as defined in this Section, and the non-fiscal

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BOARD OF SUPERVISORS

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committee wishes the legislation to be further considered by the Board of Supervisors, then the non-fiscal committee shall refer, and the Clerk of the Board shall schedule, the legislation for review and consideration by the fiscal committee of the Board of Supervisors, which shall then consider and act upon the legislation consistent with the rules and regulations governing the consideration and processing of legislation by the Board and its committees.

The Budget Analyst's analysis and report on the cost of the legislation will be submitted to the Board of Supervisors prior to the legislation being heard by the fiscal committee.

Legislation which has been initially determined not to have a fiscal impact and which is substantively amended in a committee other than the fiscal committee shall be referred to the Budget Analyst to determine whether the amendments result in the legislation having a fiscal impact. Amended legislation determined to have a fiscal impact shall be referred to, and scheduled by the Clerk of the Board before, the fiscal committee of the Board of Supervisors.

Legislation prepared in and reported out to the Board by a non-fiscal committee shall be governed by this Section. Such prepared in and reported out legislation shall be reviewed by the Budget Analyst to determine whether the legislation has a fiscal impact, and, if so, such legislation shall be referred to, and the Clerk of the Board shall schedule before, the fiscal committee of the Board, consistent with the provisions of this Section.

When the Budget Analyst determines that legislation would have a fiscal impact as defined in this Section, then the legislation shall not be calendared by the Clerk of the Board of Supervisors for consideration by the full Board of Supervisors until after the legislation has been forwarded to the full Board by all Committees

of the Board asked, or required, to review the legislation.

Whenever required by this ordinance to schedule legislation for review and consideration by the fiscal committee, the Clerk shall schedule the legislation for said hearing not more than thirty days after the non-fiscal committee has determined that the legislation is to be further considered by the Board.

If the fiscal committee fails to conduct a hearing on the legislation within thirty days after the non-fiscal committee has determined that the legislation is to be further considered by the Board, the Clerk shall place the legislation on the calendar of the Board for the next regularly scheduled meeting of the Board subsequent to the expiration of the thirty day period.

APPROVED AS TO FORM:
LOUISE H. RENNE, City Attorney

By: BEWt
Deputy City Attorney

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
June 10, 1991	July 1, 1991
Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Hsieh Kennedy Migden Shelley Ward	Ayes: Supervisors Achtenberg Alioto Britt Hallinan Hsieh Kennedy Migden Shelley
Noes: Supervisors Maher	
Absent: Supervisors Britt	Absent: Supervisors Gonzalez Maher Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
97-91-24

JUL 0 2 1991
Date Approved

Mayor

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JUL 18 1991
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Finance

6/12/91 - As amended in Committee.

FILE NO. 101-90-114

ORDINANCE NO. 273-91
RO #90287 SA #172

(GOVERNMENT FUNDING)

6/12/91 jlb APPROPRIATING $1,000,000 FOR CAPITAL IMPROVEMENT PROJECT (S.F.G.H. PARKING FACILITY), DEPARTMENT OF PARKING AND TRAFFIC FOR FISCAL YEAR 1990-91 ; PLACING

6/12/91 jlb $1,000,000 ON RESERVE.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1990-91 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
02-071	Off-Street Parking Fund		
36-02-00	Dept. of Parking and Traffic		
G.L. 312 (003327)	Reserve for Contingencies	$1,000,000	
Project 630-00	SFGH Parking Facility		$1,000,000
20-2030 (353144)	Capital Improvement Project		

6/12/91 jlb Section 2. Funds in the amount of $1,000,000 for architectural and engineering services are hereby placed on reserve pending results of contract negotiations and proposed number of hours and hourly rates, to be released by the Finance Committee.

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: _____
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

_____
CONTROLLER

ac(1155ADM16)

Board of Supervisors, San Francisco

Passed for Second Reading

June 28, 1991

Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley

Absent: Supervisors Ward

Finally Passed

July 1, 1991

Ayes: Supervisors Achtenberg Alioto Britt Hallinan Hsieh Kennedy Migden Shelley

Absent: Supervisors Gonzalez Maher Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

_____
Clerk

File No. 101-90-114

JUL 0 3 1991
Date Approved

_____
Mayor

JUL 1 8 1991
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Finance

FILE NO. 101-90-108

ORDINANCE NO. 274-91
RO #90286 SA #174

(GOVERNMENT FUNDING)

APPROPRIATING $9,472 FOR EQUIPMENT PURCHASE (LABORATORY EQUIPMENT), POLICE DEPARTMENT FISCAL YEAR 1990-91.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1990-91 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
02-540	Special Revenue		
11-00-00	Municipal Court		
53-5304 (053702)	Court Fines	$ 486	
Project 001-01	Criminalist Laboratory Fund		
13-01-00	Adult Probation		
53-5331 (053710)	Probation Costs	8,986	
38-04-23	Police Department		
Project 001-01	Criminalistics Laboratory		
22-2266 (580431)	Laboratory Equipment		$ 9,472
	Total	$ 9,472	$ 9,472

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

CONTROLLER

ac(1155ADM15)

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
June 24, 1991	July 1, 1991
Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley	Ayes: Supervisors Achtenberg Alioto Britt Hallinan Hsieh Kennedy Migden Shelley
Absent: Supervisors Britt Ward	Absent: Supervisors Gonzalez Maher Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
101-90-108

JUL 0 3 1991
Date Approved

Mayor

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6/5/91 - As amended in Committee.

FILE NO. 101-90-110

ORDINANCE NO. 275-91

RO #90285 SA #125

(Government Funding)

6/5/91 jlb APPROPRIATING ~~$110,819~~ $82,393 FOR NON-WORK ORDER SERVICES OF OTHER DEPARTMENTS - CITY ATTORNEY SERVICES, RETIREMENT SYSTEM FOR FISCAL YEAR 1990-91.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1990-91 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
24-061	Employees Retirement System Trust Fund		
G.L. 301 (0303416)	Unreserved Fund Balance	$ 82,393 ~~$ 110,819~~	
44-01-00	Retirement System		
41-4200 (380501)	Non-Work Order Services of Other Departments - City Attorney Service		$ 82,393 ~~$ 110,819~~

6/5/91 jlb

6/5/91 jlb

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: Theodore L. Lakey
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

Edward Harrington
CONTROLLER

MAY 15 1991

957-appprdn/ch1/72

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
June 24, 1991	July 1, 1991
Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley	Ayes: Supervisors Achtenberg Alioto Britt Hallinan Hsieh Kennedy Migden Shelley
Absent: Supervisors Ward	Absent: Supervisors Gonzalez Maher Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John Taylor
Clerk

File No.
101-90-110

JUL 03 1991
Date Approved

Mayor

JUL 18 1991
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FILE NO. 101-90-116

ORDINANCE NO. 276-91
RO #90290 SA #175

(GOVERNMENT FUNDING)

APPROPRIATING $202,284 FOR EQUIPMENT PURCHASE AND SERVICES OF MISCELLANEOUS DEPARTMENTS-MEDICAL EXAMINER, POLICE DEPARTMENT FOR FISCAL YEAR 1990-91.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1990-91 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
02-463	Special Revenue Fund		
11-00-00	Municipal Court		
53-5304 (040600)	Court Fines	$ 202,284	
Project 001-01	S/B 1127 - Laboratory Costs		
38-04-23	Police Department		
Project 004-01	S/B 1127 Laboratory Costs		
22-2202 (580449)	Other Vehicle		$ 63,950
22-2265	Technical Equipment		60,325
22-2266	Laboratory Equipment		15,200
30-3890	Services of Other Departments-Coroner's Office		62,809
	Total	$ 202,284	$ 202,284

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: Theodore R. Salley
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

Edward Harrington
CONTROLLER

ac(1155ADM20)

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
June 24, 1991	July 1, 1991
Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley	Ayes: Supervisors Achtenberg Alioto Britt Hallinan Hsieh Kennedy Migden Shelley
Absent: Supervisors Britt Ward	Absent: Supervisors Gonzalez Maher Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
101-90-116

JUL 0 3 1991
Date Approved

Mayor

JUL 18 1991
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FILE NO. 101-90-117 ORDINANCE NO. 277-91

RO #90293 SA #180

(GOVERNMENT FUNDING)

APPROPRIATING $1,966,979 FOR VARIOUS PURPOSES, POLICE DEPARTMENT FOR FISCAL YEAR 1990-91.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1990-91 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
02-005	Narcotics Forfeiture Fund and Asset Seizure Fund		
38-03-13	Police Department		
Project 001-00	Revenue		
65-6531 (050062)	Federal Narcotics Forfeitures and Seizures	$1,966,979	
Project 003-01	Investigation		
10-1060 (580324)	Data/Word Processing Equipment Maintenance		$ 137,000
11-1377	Safety Supplies		360
22-2242	Safety Equipment		1,780
22-2265	Technical Equipment		7,700
23-2311	Data Processing Equipment-Lease/Purchase		90,000
	Total - Investigation		$ 236,840
Project 008-01	S.F. Safe Anti-Drug Program		
10-1001 (580324)	Professional Services		$ 30,000
Project 010-01	Prosecution		
30-3890 (580324)	Services of other Departments-Miscellaneous Departments		$ 396,979
Project 015-01	U.S. Navy Lease		
10-1460 (580324)	Rental of Property		$ 14,400
Project 018-01	Enforcement		
03-0101 (580324)	Overtime-Uniform		$ 450,000
10-1231	Electricity, Heat and Water		48,000
10-1232	Telephone		35,050
10-1234	Copy Machine		7,500
10-1269	Other Contractual Services		5,000
10-1460	Rental of Property		9,600
11-1304	Technical Supplies		6,800
22-2220	Communication Equipment		7,850
22-2230	Data Processing Equipment		5,000
22-2319	Other Equipment Lease/Purchase		48,000
30-5090	Services of other Departments-Electricity		15,000
30-3100	Services of other Departments-Automotive Maintenance-Central Shops		90,000
30-3180	Services of other Departments-Building Maintenance		36,000
	Total - Enforcement		$ 763,800
Project 019-01	Witness Relocation Program		
10-1299 (580324)	Other Current Services		$ 40,000
Project 007-01	Pal Program-Oceanview Playground		
20-2010 (580324)	Program Project Budget		$ 36,000
Project 009-01	Substance Abuse Program		
20-2010 (580324)	Program Project Budget		$ 174,960
Project 013-01	Boedekker Park Program		
20-2010 (580324)	Program Project Budget		$ 66,000
Project 016-01	Pal-Boxing Project		
20-2010 (580324)	Program Project Budget		$ 22,000

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DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
Project 020-01	Middle School Law Enforcement		
20-2010 (580324)	Program Project Budget		$ 119,000
Project 021-01	Pal-Garfield Park Program		
20-2010 (580324)	Program Project Budget		$ 67,000
	GRAND Total	$1,966,979	$1,966,979

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: _____
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

_____
CONTROLLER

ac(1155ADM17-19)

Board of Supervisors, San Francisco

Passed for Second Reading

June 24, 1991

Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley

Absent: Supervisors Britt Ward

Finally Passed

July 1, 1991

Ayes: Supervisors Achtenberg Alioto Britt Hallinan Hsieh Kennedy Migden Shelley

Absent: Supervisors Gonzalez Maher Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

_____
Clerk

File No.
101-90-117

JUL 0 3 1991
Date Approved

_____
Mayor

130 Finance

FILE NO. 101-90-130

ORDINANCE NO. 278-91
RO #90308 SA #198

(GOVERNMENT FUNDING)

APPROPRIATING $9,406 FOR TRAINING AND MEMBERSHIP DUES AND RESCINDING $9,406 FROM OFFICE MACHINE RENTAL, DISTRICT ATTORNEY FOR FISCAL YEAR 1990-91, SUBJECT OF PREVIOUS BUDGETARY DENIAL AND PROVIDING FOR RATIFICATION OF ACTION PREVIOUSLY TAKEN.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1990-91 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
01-001	General Fund		
04-01-00	District Attorney		
10-1241 (303271)	Office Machine Rental	$ 9,406	
10-1130 (303271)	Training		$ 8,032
10-1440 (303552)	Membership Dues		1,374
	Total	$ 9,406	$ 9,406

Section 2. This ordinance is adopted by a two-thirds vote of all members of the Board of Supervisors pursuant to Section 6.306 of the Charter. These items were previously requested by budget estimate and denied by the Board of Supervisors.

Section 3. Although the City has incurred no legal obligation under the Charter, the Board of Supervisors does hereby appropriate the funds necessary for the obligation and does hereby ratify the action previously taken.

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: _____
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

Edward Harrington
CONTROLLER

ac(1155ADM21)

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
June 24, 1991	July 1, 1991
Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Hsieh Kennedy Migden Shelley	Ayes: Supervisors Achtenberg Alioto Britt Hallinan Hsieh Kennedy Migden Shelley
Absent: Supervisors Britt Maher Ward	Absent: Supervisors Gonzalez Maher Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
101-90-130

JUL 0 3 1991
Date Approved

Mayor

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[Chlorofluorocarbon Recycling and Recovery]

AMENDING PART II, CHAPTER V OF THE SAN FRANCISCO MUNICIPAL CODE (HEALTH CODE) BY ADDING ARTICLE 24, SECTIONS 1401 THROUGH 1413 THERETO, PROHIBITING THE SALE OF SMALL CHLOROFLUOROCARBON CONTAINERS, AND PROHIBITING REPAIR OF MOTOR VEHICLE AIR CONDITIONING SYSTEMS WITHOUT A PERMIT FROM THE DEPARTMENT OF PUBLIC HEALTH.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Part II, Chapter V of the San Francisco Municipal Code (Health Code) is hereby amended by adding a new Article 24 thereto, to read as follows:

ARTICLE 24

CHLOROFLUOROCARBON RECOVERY AND RECYCLING ORDINANCE

Sec. 1401 Findings and Purpose.
Sec. 1402 Definitions.
Sec. 1403 Authority to Adopt Rules and Regulations.
Sec. 1404 Prohibition on Sale of CFC Containers.
Sec. 1405 Prohibition on Release of CFC & Operation Without Permit.
Sec. 1406 Permit Requirements.
Sec. 1407 Violations.
Sec. 1408 Civil Penalties
Sec. 1409 Enforcement.
Sec. 1410 Hearings.
Sec. 1411 Inspection and Administration Fees.
Sec. 1412 Fee Schedule.
Sec. 1413 Severability.

GENERAL PROVISIONS

Sec. 1401. FINDINGS AND PURPOSE. The Board of Supervisors finds that the release of chlorofluorocarbon (CFC) into the environment may endanger public health and welfare by causing or contributing to significant depletion of stratospheric ozone. The Environmental Protection Agency has determined that this depletion will result in health and environmental harm, including increased incidence of skin cancer and cataracts, suppression of the immune response system, and damage to crops and aquatic organisms. (Federal Register, August 12, 1988, p. 30566). The findings adopted under Section 469 of the San Francisco Health Code on stratospheric ozone depletion, health effects and global warming due to releases of CFCs are therefore incorporated herein.

The Board of Supervisors finds that repair, replacement and dismantling of mobile air conditioners in automobiles and trucks are major sources of CFC releases. As part of repair, replacement and dismantling procedures, CFCs are purged from these systems to the atmosphere. After repair, mobile air conditioners are recharged with newly manufactured CFC supplied in small containers, available at retail stores in San Francisco. When additional repairs are needed, this CFC is purged from the system. Due to this cycle, manufactured CFCs are continually released to the environment. The Environmental Protection Agency has determined that approximately twenty-five percent (25%) of domestically consumed CFCs are used in automobiles, making this industry the largest single user of these chemicals. (Federal Register, August 12, 1988, p. 30616).

The Board of Supervisors finds that a prohibition on the release of CFCs by businesses and government agencies that install, repair or dismantle mobile air conditioners would be a significant benefit to the health and welfare of the people of San Francisco. The Board of Supervisors further finds that measures which lower the supply of CFC for sale in San Francisco, and which break the cycle of recharge and release from mobile air conditioning systems, will significantly contribute to public health and welfare.

The Board of Supervisors finds, therefore, that this legislation requiring permits, inspections and installation of CFC

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recovery equipment for businesses which release CFCs as part of their work on mobile air conditioning systems, and prohibiting the sale of small CFC containers, is an essential step for limiting the future release of CFCs to the environment.

SEC. 1402. DEFINITIONS. As used in Sections 1401 through 1413 inclusive, the following words and terms shall have the following meanings:

(a) "Approved CFC Recycling Equipment" means equipment certified by the Administrator of the Environmental Protection Agency pursuant to Section 609(b) of the Clean Air Act, 42 U.S.C. § 7671h(b), or equipment which has been certified by Underwriters Laboratories or another independent standards testing authority, as meeting the standards of the Society of Automotive Engineers for equipment for the extraction and reclamation of refrigerants from motor vehicle air conditioners, including but not limited to SAE standard J-1990. Equipment purchased before the commencement of certification by Underwriters Laboratories or another independent testing organization shall be considered approved if it is substantially identical to equipment certified under the previous sentence.

(b) "Chlorofluorocarbon(s)" or "CFC(s)" means the family of substances containing carbon, fluorine and chlorine that have no hydrogen atoms and no double bonds, and which includes, but is not limited to, trichlorofluoromethane (CFC-11), dichlorofluoromethane (CFC-12), trichlorotrifluoromethane (CFC-113), dichlorotetrafluoroethane (CFC-114), and monochloropentafluoroethane (CFC-115). The term shall also include any substance listed under Section 602 of the Clean Air Act, 42 U.S.C. § 7671(a).

(c) "Department" means the San Francisco Department of

Public Health.

(d) "Director" means the Director of the San Francisco Department of Public Health or the Director's designee.

(e) "Establishment" means a single business or government operation conducted on the same or contiguous parcels of property under the same ownership or entitlement to use, and the building or buildings, appurtenant structures, and surrounding land area used by the operation at that location or site.

(f) "Motor Vehicle" means any vehicle which is self-propelled, such as automobiles, trucks, and buses, and includes public transportation vehicles operated by the San Francisco Municipal Railway.

(g) "Motor Vehicle Air Conditioning System" means mechanical vapor compression refrigeration equipment used to cool the driver or passenger compartment of any motor vehicle.

(h) "Permit" means a document issued by the Director which authorizes a person or establishment to operate approved CFC recycling equipment in order to install, service, repair, dismantle or dispose of motor vehicle air conditioning systems.

(i) "Person" means an individual, trust, firm, joint stock company, corporation, including a government corporation, partnership, association, city, county, city and county, district, the state, including any department or agency thereof to the extent authorized by state law, or the United States to the extent authorized by federal law.

(j) "Release" means any leaking, pumping, venting, emptying, or discharging of CFCs to the environment by persons subject to this Article, except as authorized by a permit.

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SEC. 1403. AUTHORITY TO ADOPT RULES AND REGULATIONS. The Director may adopt and from time to time amend reasonable rules, regulations and guidelines consistent with and implementing the provisions of this Article. Prior to adoption of any rule or regulation under this Article, the Director shall provide a 30-day public comment period by providing published notice in an official newspaper of general circulation in the City and County of San Francisco of the intent to issue or amend the rule or regulation. Rules and regulations shall be approved by the Health Commission at a public hearing. In addition to the notices required by law, the Secretary of the Health Commission shall send written notice, at least 15 days prior to the hearing, to any interested party who sends a written request to the Health Commission for notice of hearings on hazardous waste regulation. Regulations promulgated by the Director and approved by the Health Commission shall be maintained in the Office of the Clerk of the Board of Supervisors.

SEC. 1404. PROHIBITION ON SALE OF CFC CONTAINERS. No person shall sell, transfer, or deliver any CFC suitable for use as a refrigerant in a motor vehicle air conditioning system in a container which contains less than twenty (20) pounds of such refrigerant, except to a person or establishment issued either a permit under Section 1406 of this Article, or a certification in compliance with federal law.

SEC. 1405. PROHIBITION ON RELEASE OF CFC AND OPERATION WITHOUT PERMIT.

(a) No person engaged in the profession, trade or business of installation, repair, or dismantling of motor vehicles, shall install, repair or dismantle any motor vehicle air conditioning system except in compliance with a permit issued by the Director.

(b) No person engaged in the profession, trade or business of installation, repair, or dismantling of motor vehicles, shall dispose of or cause the disposal of any motor vehicle air conditioning system without first extracting CFC refrigerants in compliance with a permit issued by the Director.

(c) No person subject to Sections 1405(a) or 1405(b) shall:

(1) intentionally release CFCs to the environment, or;

(2) add CFC refrigerant to any motor vehicle air conditioning system without first checking the system for leaks and ensuring that no detectable leaks exist.

(d) Failure of any person subject to this Section to ensure the integrity of a motor vehicle air conditioning system before adding refrigerant, other than as a means solely for identifying the location of any leaks, shall constitute an intentional release.

(e) For purposes of this Article, the owner or operator of an establishment at which motor vehicle air conditioning systems are installed, repaired, or dismantled shall be considered a person engaged in the profession, trade or business of installation, repair, or dismantling of motor vehicles.

SEC. 1406. PERMIT REQUIREMENTS.

(a) Permits shall require that all installation, repair, dismantling, or disposal of motor vehicle air conditioning systems be performed by persons trained in accordance with Section 1406(c), using approved CFC recycling equipment in conformity with such training to prevent the release of CFCs.

(b) Every person subject to Section 1405(a) or 1405(b) shall file an application for a permit within 90 days of the effective date of this Article or of commencing operations, whichever is later. Permit applications may be filed by the owner or operator of

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an establishment to include one or more employees, but a separate permit application shall be filed for each establishment at which persons subject to Section 1405 are employed. The application shall be accompanied by the appropriate fees as set forth in this Article. The application form shall require a description of the approved CFC recycling equipment used by the applicant, a certification that such equipment is in proper operating condition, and such other information as the Director deems relevant. Application forms shall be provided by the Department upon request of the applicant.

(c) The permit applicant shall provide written certification that the applicant and each establishment employee engaged in the installation, repair, dismantling, or disposal of motor vehicle air conditioning systems, has completed a training course in the standards for proper use of approved CFC recycling equipment, and in the standards for recovery and recycling of used CFCs from motor vehicle air conditioners, which standards shall be at least as stringent as the Society of Automotive Engineers standard SAE J-1989.

(d) Upon receipt of a completed application and fees, the Director may inspect the equipment or establishment described in the application, or request additional information from the applicant. The Director shall not issue a permit until satisfied that the applicant has met the requirements of this Article.

(e) Permits shall be valid for 2 years from the date of issuance and are not transferable. Applicants for permit renewal shall file a new application as provided under Sections 1406(b) and 1406(c). The permittee shall file the permit renewal application with the Director no later than 90 days before the expiration date of the previous permit.

(f) Permits shall require the permittee to notify the Director in writing within fourteen days after:

(1) the purchase or installation of any approved CFC recycyling system other than the system described in the previous permit application, and;

(2) hiring or employing any person to use approved CFC recycling systems other than persons with training certification approved in the previous permit application.

Upon receipt of the permittee's notice, the Director may require a new permit application, modify the permit, or issue such orders as may be necessary to limit the use of approved CFC recycling systems to persons trained in accordance with this Article.

(g) Permits shall be prominently displayed on the premises of every establishment subject to this Article.

SEC. 1407. VIOLATIONS. In addition to any other provisions of this Article, the following acts or omissions shall constitute a violation of this Article:

(a) Fraud, willful misrepresentation, or any willfully inaccurate or false statement in a permit application, or permit renewal application.

(b) Fraud, willful misrepresentation, or any willfully inaccurate or false statement in any report or document required by an order issued pursuant to Section 1409.

(c) Failure to comply with a permit or any order issued by the Director.

SEC. 1408. CIVIL PENALTIES. The owner or operator of any establishment at which violations of this Article occur, and any person who violates the provisions of this Article, shall be liable

for a civil penalty not to exceed $500.00 per violation per day. Penalties shall be assessed and recovered in a civil action brought in the name of the People of the City and County of San Francisco in any court of competent jurisdiction.

SEC. 1409. ENFORCEMENT. The Director is authorized to enforce all provisions of this Article, and may take any one or a combination of the following actions:

(a) Serve notice requiring correction of violations of this Article upon any person, including the owner or operator of the establishment where a violation occurred and any permittee that is the subject of the violation. Corrective action may be required immediately or upon a schedule specified by the Director. A notice may require immediate cessation of violation of Section 1405, and the posting of such notice at the establishment.

(b) After notice and hearing, issue an order to cease violation. The order shall be served personally or by certified mail on the owner or operator of the establishment where a violation occurred, and on any other person responsible for violation of this Article.

(c) After notice and hearing, upon a finding of violation, revoke, suspend or modify any permit.

(d) With the consent of the violator, or the owner or operator of an establishment at which violations occurred, issue and collect civil penalties in settlement of violation orders in amounts not to exceed the limits of Section 1408 for each day and each violation, and not to exceed $5000.00 in total, provided that all violations have been corrected or are included in a final compliance order.

(e) Request the City Attorney to maintain an action for

injunction to restrain or correct violations, to enforce a violation order, and to recover civil penalties. The Director is not required to assess and attempt to settle any violation prior to commencement of a civil action.

(f) Upon the presentation of proper credentials, enter and inspect at any reasonable time, any establishment at which persons are engaged in the business, trade or profession of installation, repair, dismantling, or disposal of motor vehicles. If the owner or occupant of the premises denies entry, the Director shall obtain a proper inspection warrant or other remedy provided by law to secure entry.

(g) Request the Chief of Police and authorized agents to assist in the enforcement of this Article.

SEC. 1410. HEARINGS.

(a) Whenever notice and a hearing is required by Section 1409 of this Article, the notice shall be sent by certified mail to the permittee, the person alleged to have violated this Article, and the owner or operator of the establishment at which the violation occurred. Notice to the owner of the establishment shall be sufficient where other parties cannot be located by the Director.

(b) The notice shall set forth the time and place of the hearing, the ground or grounds upon which the enforcement action is based, and a brief statement of the factual matters in support thereof. The notice shall be mailed at least 15 days prior to the hearing date.

(c) In any hearing under this Article, all parties involved shall have the right to offer testimonial, documentary, and tangible evidence bearing on the issues, to see and copy all documents and other information the City relies on in the proceeding, to be

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represented by counsel, and to confront and cross-examine witnesses against them. Any hearing under this Article may be continued by the person conducting the hearing for a reasonable time for the convenience of a party or witness.

SEC. 1411. INSPECTION AND ADMINISTRATION FEES.

(a) In administering the provisions of this Article the Director shall require permittees, permit applicants, and other persons subject to this Article to pay inspection and administrative fees to cover:

(1) the Department's costs of processing applications and permits, including inspections necessary for permit issuance, and;

(2) the cost of any inspection conducted by the Department when it has reason to believe a person is not in compliance with this Article.

(b) When two or more establishments subject to the requirements of Section 1406 are located on the same premises and not contiguous to each other and are owned or operated by one person, a separate inspection and administration fee shall be required for each establishment.

(c) When the real property where the establishment subject to Section 1406 is owned by a person other than the operator, it is the operator's duty to pay inspection and administration fees. However, in the event the operator fails to pay any inspection and administration fee as provided for in this Article, the City and County may impose a lien as set forth in Section 1412 of this Article.

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SEC. 1412. FEE SCHEDULE.

(a) The Department shall collect the following fees:

(1) $150.00 for processing permit applications and associated administration activities undertaken by the Department, and;

(2) $75.00 per hour or each portion thereof for inspections and associated administrative activities, including enforcement activities pursuant to Section 1409.

(b) A notice of payment due shall be sent by the Department to the permittee, the violator, and the owner of the property, advising as to the amount of any fee and containing the following information:

(1) The date and location of the Department's inspection;

(2) The amount of the fee;

(3) A statement advising the addressee that he or she is liable under this Article for the fee in the amount indicated in the notice and that payment to the City is due within 30 days of the mailing date of the notice;

(4) A statement advising the addressee that a penalty of 10 percent plus interest at the rate of one percent per month on the outstanding balance shall be added to the costs from the date that payment is due under Subsection (b)(3);

(5) A statement advising the owner of the establishment that if payment of the costs is not received within 90 days of the mailing date, a lien may be imposed on the property of the owner which is an establishment subject to the provisions of this Article, and;

(6) A statement that the addressee or property owner may appeal the fee determination contained in the notice of payment due to the Director. Said appeal must be filed in writing with the

Department no later than 30 days after the date the notice of payment due is issued. The Director's decision on the appeal shall be final.

(c) If full payment of the costs is not received within 30 days after the notice of payment due was sent, a second notice of payment due shall be sent by the Department to the addressees of the previous notice. The second notice shall state that the generator and property owner are liable for the payment of the costs indicated on the notice.

(d) If full payment of the costs is not received within 30 days after the second notice of payment due was sent, a third (and final) notice of payment due shall be sent by the Department. The third notice shall state that addressees are liable for the payment of the costs indicated on the notice and that if payment of such costs is not received within 30 days of the mailing date of the third notice, a lien may be imposed on the subject property pursuant to the provisions of this Article.

(e) If payment is not received within 30 days after mailing the third notice, the Department shall initiate special assessment lien proceedings pursuant to the provisions of the San Francisco Administrative Code, Chapter 10, Article XX.

SEC. 1413. SEVERABILITY. If any provision of this Article, or the application of any such provision to any person or circumstances, shall be held invalid, the remainder of this Article, to the extent it can be given effect, or the application of those

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provisions to persons or circumstances other than those to which it is held invalid, shall not be affected thereby, and to this end the provisions of this Article are severable.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By: John D. Coggan
Deputy City Attorney

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JUL 1 8 1991
SAN FRANCISCO

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
	§	
June 24, 1991	§	July 1, 1991
	§	
	§	
Ayes: Supervisors Alioto Britt Gonzalez Hallinan Kennedy Shelley	§	Ayes: Supervisors Achtenberg Alioto Britt Hallinan Hsieh Kennedy Migden Shelley
	§	
	§	
Absent: Supervisors Achtenberg Ward Hsieh Maher Migden	§	Absent: Supervisors Gonzalez Maher Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco.

Clerk

File No.
118-91-3

JUL 0 3 1991
Date Approved

Mayor

Amended in Cmte. 6/18/91.

FILE NO. 118-90-7 ORDINANCE NO. 280-91

[ANIMAL CONTROL - RELEASE FORMS]

AMENDING SECTION 41.6 OF PART II, CHAPTER V OF THE MUNICIPAL CODE (HEALTH CODE) TO REQUIRE A COPY OF A SIGNED RELEASE OF OWNERSHIP BE OFFERED ~~PROVIDED~~ TO THE OWNER OF THE ANIMAL.

6/18/91 BT

NOTE: Additions or substitutions are underlined; deletions are indicated by ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. Part II, Chapter V of the San Francisco Municipal Code (Health Code) is hereby amended by amending Section 41.6 thereof to read as follows:

SEC. 41.6. IMPOUNDMENT. Any animal engaging in an activity or existing in a condition which is prohibited by the provisions of Section 41.1 through 41.13, inclusive, of this Article, shall be taken up and impounded by the Animal Control Officer or taken to a veterinarian, as provided by State law.

It shall be the duty of every police officer, while on duty, to notify the Animal Control Officer of any animal which he or she knows to be injured or required to be impounded.

Any person may take up and deliver to the Animal Control Officer any animal at large in the City and County on public property or upon said person's private property or any animal owned by such person. Upon releasing ownership of an animal to the Animal Control Officer, the owner shall sign and be offered ~~provided~~ a receipt by the Animal Control Officer.

6/18/91 BT

Every person taking up any animal under the provisions of this Section shall immediately thereafter give notice thereof to the Animal Control Officer, and every such person or any person in whose custody such animal may, in the meantime, be placed, shall deliver such animal to the Animal Control Officer without fee or charge, and the Animal Control Officer shall thereupon hold and dispose of said animal in the same manner as though said animal had been found at large and impounded.

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

By: Theodore R. Lakey
Deputy City Attorney

SUPERVISOR KENNEDY 10/17/90

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JUL 18 1991
SAN FRANCISCO

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
June 24, 1991	July 1, 1991
Ayes: Supervisors Alioto Britt Gonzalez Hallinan Kennedy Shelley	Ayes: Supervisors Achtenberg Alioto Britt Hallinan Hsieh Kennedy Migden Shelley
Absent: Supervisors Achtenberg Ward Hsieh Maher Migden	Absent: Supervisors Gonzalez Maher Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
118-90-7

JUL 0 3 1991
Date Approved

Mayor

Amended in Cmte. 6/18/91.

FILE NO. 123-90-1

ORDINANCE NO. 281-91

[DEBRIS BOXES -- HOURS OF SERVICE]

AMENDING PART II, CHAPTER X, OF THE SAN FRANCISCO MUNICIPAL CODE (PUBLIC WORKS CODE) BY AMENDING SECTION 725.5 THEREOF TO REQUIRE CERTAIN HOURS OF SERVICE FOR DEBRIS BOXES LOCATED IN RESIDENTIAL AREAS.

NOTE: Additions or substitutions are underlined; deletions are indicated by ((double parentheses)).

Be it ordained by the people of the City and County of San Francisco:

Section 1. Part II, Chapter X, of the San Francisco Municipal Code (Public Works Code) is hereby amended, by amending Section 725.5 to read as follows:

SEC. 725.5. PLACEMENT OF BOXES. (a) A debris box shall be placed in the roadway area of the street parallel to the curb with its outer edge no more than eight feet from the face of the curb. Its placement shall be further subjected to all laws relating to the prohibition of parking unless specifically exempted from compliance therewith by written approval of the Director of Public Works. Further, no debris box shall be placed in the sidewalk area without permission of said Director. The duration of each debris box placement shall be limited to not more than seven days.

(b) No debris box approved by the Director of Public Works to be placed in a residential area shall be delivered or removed for transport between the hours of 7:00 p.m. and ~~7:00~~ 6:00 a.m.

6/18/91
BT

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

By: Theodore R. Lakey
Deputy City Attorney

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
June 24, 1991	July 1, 1991
Ayes: Supervisors Alioto Britt Gonzalez Hallinan Kennedy Shelley	Ayes: Supervisors Achtenberg Alioto Britt Hallinan Hsieh Kennedy Migden Shelley
Absent: Supervisors Achtenberg Ward Hsieh Maher Migden	Absent: Supervisors Gonzalez Maher Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 123-90-1

JUL 0 3 1991
Date Approved

Mayor

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JUL 1 8 1991
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As amended in Board 6/24/91

FILE NO. 181-91-1.2 ORDINANCE NO. 282-91

[Pedestrian Mall]

CLOSING ANTHONY STREET NORTH OF JESSIE STREET TO VEHICULAR TRAFFIC, AND ACCEPTING QUITCLAIM DEEDS FROM ABUTTING OWNERS FOR VEHICULAR ACCESS TO THEIR PROPERTY, AND ESTABLISHING A PEDESTRIAN MALL ON ANTHONY STREET NORTH OF JESSIE STREET.

6/24/91
jcl

Be it ordained by the People of the City and County of San Francisco:

Section 1. The Board of Supervisors of the City and County of San Francisco, by its Resolution No. 175-91 adopted February 19, 1991 declared as a matter of policy that it is the intention of the Board of Supervisors to close Anthony Street north of Jessie to vehicular traffic.

Section 2. The closing of said portion of Anthony Street to vehicular traffic will not unduly inconvenience vehicular traffic.

Section 3. The Department of City Planning reported on August 23, 1990 that the proposed closing of said portion of Anthony Street to vehicular traffic is in conformity with the Master Plan and the eight priority policies of Planning Code Section 101.1 and said findings are incorporated herein by this reference.

Section 4. The public interest, convenience, and necessity require the construction of the Anthony Street Pedestrian Mall for the use of the general public.

Section 5. The costs and expenses for the establishment, improvement, and beautification and maintenance of said mall area shall be paid for by One Second Street Incorporated and the construction of the proposed improvements will enhance and beautify the surrounding areas.

Section 6. The abutting property owners that will be affected by the closing of said portion of Anthony Street to vehicular traffic have consented to said closing and have executed quitclaim deeds to the City for vehicular access to their property.

Section 7. The portion of Anthony Street north of Jessie Street be and it is hereby closed to all vehicular traffic as of the effective date of this Ordinance, provided however, that until such time as One Second Street Incorporated commences construction of the improvements, Anthony Street shall remain open for vehicular traffic; and, in accordance with the provisions of the Pedestrian Mall Law of 1960, a pedestrian mall is hereby established on Anthony Street north of Jessie Street.

Section 8. The Director of Property is authorized to accept the quitclaim deeds from the abutting owners for vehicular access to their property.

Section 9. The Clerk of this Board is directed to transmit to the Department of Public Works a certified copy of this ordinance and the Department of Public Works is hereby directed to give notice of the establishment of the pedestrian mall and the prohibition of vehicular traffic related thereto in the manner required by law.

APPROVED AS TO FORM:

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LOUISE H. RENNE
City Attorney

By: K A Kumata
Deputy City Attorney

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
	§	
June 24, 1991	§	July 1, 1991
	§	
	§	
Ayes: Supervisors Achtenberg Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley	§	Ayes: Supervisors Achtenberg Alioto Britt Hallinan Hsieh Kennedy Migden Shelley
	§	
Absent: Supervisors Alioto Ward	§	Absent: Supervisors Gonzalez Maher Ward
	§	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
101-91-1.2

JUL 0 3 1991
Date Approved

Mayor

As divided in Board
5/20/91

FILE NO. 97-90-51.1 ORDINANCE NO. 283-91

(Minority, Women and Local Business Enterprises - Prime Contracts)
AMENDING THE SAN FRANCISCO ADMINISTRATIVE CODE BY AMENDING SECTION 12D.5 THEREOF EXPANDING THE DEFINITION OF ASIANS TO INCLUDE ASIAN INDIANS AS A MINORITY AS IT RELATES TO THE PROCUREMENT OF GOODS AND SERVICES AND THE AWARD OF PUBLIC CONTRACTS BY THE CITY AND COUNTY OF SAN FRANCISCO FROM MINORITY BUSINESS ENTERPRISES, WOMEN BUSINESS ENTERPRISES, AND LOCAL BUSINESSES.

Note: Additions are indicated by <u>underlining</u>.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The San Francisco Administrative Code is hereby amended by amending Section 12D.5 thereof to read as follows:

Sec. 12D.5. <u>Definitions</u>.

"Award of a Contract" occurs when a contract is certified by the Controller of the City and County of San Francisco.

"Bid" shall mean and include a quotation, proposal, solicitation or offer by a bidder or contractor to perform or provide labor, materials, equipment, supplies or services to the City and County of San Francisco for a price.

"Bidder" shall mean any business that submits a quotation, bid or proposal to provide labor, materials, equipment, supplies or services to the City and County of San Francisco.

"City" shall mean the City and County of San Francisco.

"Commercially useful function" for purposes of determining whether a business is a minority business enterprise, woman business enterprise or local business enterprise shall mean that the business is directly responsible for providing the materials, equipment, supplies or services to the City as required by the solicitation or request for quotes, bids or proposals. MBEs, WBEs or LBEs who engage in the business of providing brokerage, referral or temporary employment services shall not be deemed to perform a "commercially useful function" unless the brokerage, referral or temporary employment services are those required and sought by the department.

"Commission" shall mean the Human Rights Commission of the City and County of San Francisco.

"Concession" shall include any grant of land or other property by or on behalf of the City and County of San Francisco to a person for the purpose or use specified in said grant. A "concession" shall not include an agreement to perform construction-related services.

"Contract" shall mean and include any agreement between the City and a person to provide or procure labor, materials, equipment, supplies or services to, for or on behalf of the City and County of San Francisco. A "contract" shall include an agreement between the City and a person or non-profit entity to perform construction related services or fund the performance of such services. Except as otherwise specifically defined in this section, a "contract" does not include: (1) awards made by the City with Federal/State grant or City general fund monies to a non-profit entity where the City offers assistance, guidance, or supervision on a project or program and the recipient of the grant award uses the grant monies to provide services to the community; (2) sales transactions where the City sells its personal or real property; (3) a loan transaction where the City is acting as a debtor or a creditor; (4) lease, franchise, or concession agreements; (5) agreements to use City real property; or (6) gifts of materials, equipment, supplies or services to the City.

"Contract Awarding Authority" shall mean the City officer, department, commission, employee or board authorized to enter into

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contracts on behalf of the City. In the case of an agreement with a person or non-profit entity to perform or fund the performance of construction related services, the term "contract awarding authority" shall mean the person or non-profit entity receiving funds from the City to perform or fund the performance of such services.

"Contractor" shall mean any person(s), firm, partnership, corporation, or combination thereof, who submits a bid, performs any part of, agrees with a person to provide services relating to and/or enters into a contract with department heads and officers or contract awarding authorities empowered by law to enter into contracts on the part of the City for public works or improvements to be performed, or for goods and services or supplies to be purchased at the expense of the City or to be paid out of monies deposited in the treasury or out of trust monies under the control of or collected by the City.

"Controlled" for the purposes of determining whether a business is a Minority Business Enterprise, or Women Business Enterprise, shall mean the minority(ies), the woman or combination of minorities and women, as the context requires, shall (1) possess legal authority and power to manage business assets, good will and daily operations of the business; and (2) actively and continuously exercise such authority and power in determining the policies and directing the operations of the business.

"Director" shall mean the Director of the Human Rights Commission of San Francisco.

"Economically Disadvantaged Business" shall mean a business whose average gross annual receipts in the three fiscal years immediately preceding its application for certification as a MBE, WBE or LBE does not exceed the following limits: (1) Public

Works/Construction-- $14 million; (2) Goods/Materials/Equipment and General Services Suppliers -- $2 million; (3) Professional Services-- $2 million.

"Equipment and Supplies Contract" shall mean term purchase agreements, contract orders, purchase orders and any other agreement for the purchase of transportation equipment, office supplies, data processing and office equipment, hospital and medical equipment and supplies, food, building supplies, fire/safety equipment and supplies, clothing, miscellaneous and electrical equipment and supplies. The term "equipment and supplies contract" shall not include contracts for fuels, lubricants and illuminants.

"Franchise" shall mean and include the right or privilege conferred by grant from the City and County of San Francisco, or any contracting agency thereof, and vested in and authorizing a person to conduct such business or engage in such activity as is specified in the grant. A "franchise" shall not include an agreement to perform construction-related services.

"General Services Contract" shall mean term purchase agreements, contract orders, purchase orders and any other agreement for the procurement of janitorial, security, equipment and computer maintenance, miscellaneous, printing and graphics services.

"Good Faith Efforts" shall mean the actions undertaken by a department to obtain MBE or WBE participation in a contract as prime contractors, and shall include the following efforts: (1) encouraging MBE/WBEs to attend pre-bid meetings, scheduled by a department or the Commission, to inform potential contractors of contracting opportunities; (2) advertising in general circulation media, trade association publications and minority/woman business focus media; (3) notifying MBE/WBEs who are available to perform the work contemplated in a contract, soliciting their interest in the

contract; (4) dividing the contract work into economically feasible units to facilitate MBE/WBE participation in the contract; (5) pursuing solicitations of interest by contacting MBE/WBEs to determine whether these businesses are interested in participating on the contract; (6) providing MBE/WBEs with adequate information about the plan, specifications and requirements of the contract; (7) where applicable, negotiating with MBE/WBEs in good faith and demonstrating that MBE/WBEs were not rejected as unqualified without sound reasons based on a thorough investigation of their capabilities; and (8) using the services of available community and contractors' groups, local, State or Federal minority and woman business assistance offices that provide assistance in the recruitment of MBE/WBEs for public sector contracts.

"Human Rights Commission" (HRC) shall mean the Human Rights Commission of San Francisco, consisting of Commissioners appointed by the Mayor; hereinafter, it shall be referred to as the Commission.

"Joint venture" shall mean and may be referred to as an "Association" of two or more businesses acting as a contractor and performing or providing services on a contract, in which each joint venture or association partner combines property, capital, efforts, skill, and/or knowledge.

"Lease" shall mean and include an agreement by which the City and County of San Francisco or any contracting agency thereof, grants to a person the temporary possession and use of property for reward, and the latter agrees to return the same to the former at a future time. A "lease" shall not include an agreement to perform construction-related services.

"Local Business" or "Local Business Enterprise (LBE)" shall mean an economically disadvantaged business which is an independent and continuing business for profit, performs a commercially useful

function and is a firm: (1) with fixed offices or distribution points located within the geographical boundaries of the City and County of San Francisco; (2) listed in the Permits and License Tax Paid File with a San Francisco business street address; and (3) which possesses a current Business Tax Registration Certificate at the time of the application for certification as a local business. Post Office box numbers or residential addresses shall not suffice to establish status as a "Local Business". To qualify as a "Local Business" or "LBE" a business must establish that it has been located and doing business in San Francisco for at least six months preceding its application for certification as a local business.

"Minority", "Minorities", or "Minority person" shall mean members of one of the following ethnic groups: Asians (defined as Chinese, Japanese, Koreans, Pacific Islanders, Samoans, Filipinos, Asian Indians and Southeast Asians), Blacks, and Latinos (defined as Mexicans, Puerto Ricans, Cubans, Central or South Americans).

"Minority Business Enterprise (MBE)" shall mean an economically disadvantaged local business which is an independent and continuing business for profit, performs a commercially useful function, and is owned and controlled by one or more minority persons residing in the United States or its territories.

"Miscellaneous Professional Services" shall mean all professional services except legal, architect/engineer, computer systems, management consulting and medical services.

"Office" or "Offices" shall mean a fixed and established place where work is carried on of a clerical, administrative, professional or production nature directly pertinent to the business being certified. A temporary location or movable property or one that was established to oversee a project such as a construction project office does not qualify as an "Office" under the Ordinance.

"Owned", for purposes of determining whether a business is a minority business enterprise or woman business enterprise, shall mean that the minorities or women as the context requires, shall possess an ownership interest of at least fifty-one percent (51%) of the business, and shall:

1. Possess incidents of ownership, such as an interest in profit and loss, equal to at least the required ownership interest percentage; and

2. Contribute capital, equipment and expertise to the business equal to at least the required ownership percentage.

Ownership of an individual seeking MBE or WBE certification shall be measured as though the applicant's ownership is not subject to the community property interest of a spouse, if both spouses certify that (a) only the woman or minority spouse participates in the management of the business and (b) the non-participating spouse relinquishes control over his/her community property interest in the subject business; or both spouses have bona fide management and control of the business.

"Participation Goals" shall mean the targeted levels of City wide MBE/WBE participation in City prime contracts that reflect the relevant share of MBEs or WBEs in a given industry or profession referred to as "percent availability" in the utilization indices contained in Appendix X to this Ordinance.

"Percent Availability" see "Participation Goals".

"Person" includes one or more individuals, partnerships, associations, organizations, trade or professional associations, corporations, cooperatives, legal representatives, trustees, trustees in bankruptcy, receivers, or any group of persons, including any official, agent or employee of the City and County

of San Francisco.

"Professional Services Contract" shall mean agreements for the procurement of legal, architect/engineer, computer systems, management consulting, medical services and miscellaneous professional services.

"Set Aside" when referring to a contract or project shall mean a procurement or contract award process where competition for a contract or project is limited to MBEs, WBEs and/or joint ventures with MBE/WBEs.

"Woman Business Enterprise (WBE)" shall mean an economically disadvantaged local business which is an independent and continuing business for profit, performs a commercially useful function and is owned and controlled by one or more women residing in the United States or its territories.

"Woman/Minority Man Business Enterprise (W/MBE)" shall mean an economically disadvantaged local business which meets the definition of an MBE or WBE, except that the aggregate ownership interest of the woman and the minority man equals or exceeds fifty-one percent (51%) of the business. An W/MBE shall qualify and be deemed by a department an MBE or WBE, but not both, for purposes of this Ordinance. Any reference in this Ordinance to MBE or WBE includes a W/MBE.

APPROVED AS TO FORM:

LOUISE H. RENNE
CITY ATTORNEY

By: Mara E. Rosales
Deputy City Attorney

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
June 24, 1991	July 1, 1991
Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Migden Shelley	Ayes: Supervisors Achtenberg Alioto Britt Hallinan Hsieh Kennedy Migden Shelley
Noes: Supervisors Maher	
Absent: Supervisors Ward	Absent: Supervisors Gonzalez Maher Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco.

John L. Taylor
Clerk

File No.
97-90-51.1

JUL 1 2 1991
Date Approved

Mayor

FILE NO. 45-91-31 ORDINANCE NO. 284-91

RO #90279

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF ROXANE RECINOS AGAINST THE CITY AND COUNTY OF SAN FRANCISCO for $15,000.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized to settle the action entitled "ROXANE RECINOS v. MICHAEL DAVID GOLDEN, et al. Superior Court No. 899-237, by the payment of $15,000.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

KIMBERLY A. REILEY
Chief Trial Deputy

RECOMMENDED:

DEPARTMENT OF PUBLIC WORKS

RICHARD EVANS, Director

APPROVED:

RUDOLF NOTHENBERG
Chief Administrative Officer

FUNDS AVAILABLE:

EDWARD M. HARRINGTON
CONTROLLER

01 001 97 09 90
309674 1450 $15,000.00

MAY 08 1991

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
July 1, 1991	July 8, 1991
Ayes: Supervisors Alioto Britt Hallinan Hsieh Kennedy Migden Shelley	Ayes: Supervisors Alioto Gonzalez Hallinan Hsieh Kennedy Migden Shelley Ward
Noes: Supervisors Achtenberg Maher	Noes: Supervisors Achtenberg Maher
Absent: Supervisors Gonzalez Ward	Absent: Supervisors Britt

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 45-91-31

JUL 15 1991
Date Approved

Mayor

DOCUMENTS DEPT.

JUL 31 1991

SAN FRANCISCO PUBLIC LIBRARY

FILE NO. 45-91-34 ORDINANCE NO. 285-91

RO #90311

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF JONES, ET AL. AGAINST THE CITY AND COUNTY OF SAN FRANCISCO, ET AL.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized to settle the action entitled "JONES, ET AL. AGAINST THE CITY AND COUNTY OF SAN FRANCISCO, ET AL." (USDC No. C88-0084), by the payment of Forty Five Thousand ~~and Five Hundred~~ Dollars ($45,000.00).

KN

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

KIMBERLY A. REILEY
Chief Trial Deputy

RECOMMENDED:

SAN FRANCISCO POLICE DEPARTMENT

WILLIS CASEY

FUNDS AVAILABLE:

EDWARD M. HARRINGTON
Controller

01 001 97 09 30
309781 1450 $45,000.00

JUN 06 1991

APPROVED:

SAN FRANCISCO POLICE COMMISSION

MANUEL BARRETTA
Secretary

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
July 1, 1991	July 8, 1991
Ayes: Supervisors Achtenberg Alioto Britt Hallinan Hsieh Kennedy Migden Shelley	Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward
Absent: Supervisors Gonzalez Maher Ward	Absent: Supervisors Britt

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
45-91-34

JUL 15 1991

Date Approved

Mayor

DOCUMENTS DEPT.

JUL 31 1991

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PUBLIC LIBRARY

FILE NO. 45-91-35 ORDINANCE NO. 286-91

RO #90312

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF LORENZO B. DOMINGUEZ AGAINST THE CITY AND COUNTY OF SAN FRANCISCO FOR $17,500.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized to settle the action entitled "LORENZO B. DOMINGUEZ v. HENRY BIRK'S JEWELERS, CITY AND COUNTY OF SAN FRANCISCO, and JOHN THELEN, et al."Superior Court No. 911-501, by the payment of $17,500.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

KIMBERLY A. REILEY
Chief Trial Deputy

FUNDS AVAILABLE:

CONTROLLER

01 001 97 09 38
309781 1450 $17,500.00

JUN 06 1991

RECOMMENDED:

SAN FRANCISCO POLICE DEPARTMENT

WILLIS CASEY, Chief of Police

APPROVED:

POLICE COMMISSION

Secretary

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
July 1, 1991	§	July 8, 1991
Ayes: Supervisors Achtenberg Alioto Britt Hallinan Hsieh Kennedy Migden Shelley	§	Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward
Absent: Supervisors Gonzalez Maher Ward	§	Absent: Supervisors Britt

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 45-91-35

JUL 15 1991

Date Approved

Mayor

DOCUMENTS DEPT.

JUL 31 1991

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FILE NO. 46-91-8 ORDINANCE NO. 287-91

[Settlement of Lawsuit]

AUTHORIZING SETTLEMENT OF LITIGATION OF CITY AND COUNTY OF SAN FRANCISCO AGAINST BERNARD SANFORD BY ACCEPTING CONSIDERATION IN THE TOTAL AMOUNT OF $8,574.00 IN CASH AND DISCHARGING SAID BERNARD SANFORD FROM FURTHER LIABILITY.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The Tax Collector Attorney is hereby authorized and directed to settle the controversy in San Francisco Municipal Court No. 050586 entitled, City and County of San Francisco v. Bernard Sanford by accepting the total amount of $8,574.00 including filing fees of $74.00 and payable to the City and County of San Francisco Tax Collector's Office no later than 7 days after the date this ordinance is enacted.

Section 2. After payment of the amount specified in Section 1, the Tax Collector Attorney is further directed to release said Bernard Sanford from all liability for debts arising out of the San Francisco Municipal Court Action No. 050586 and to file a dismissal terminating all litigation relating to the City and County of San Francisco's monetary claims against Bernard Sanford in any capacity whatsoever relating to his liability for the costs of Bernard Sanford's care at San Francisco General Hospital and Laguna Honda Hospital on the dates alleged in the subject complaint.

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Section 3. It is expressly understood that any default in the payment of the amount described in Section 1, shall entitle the City and County of San Francisco to pursue all of its legal rights as a creditor litigant in San Francisco Municipal Court Action No. 050586.

RECOMMENDED BY:

THAD BROWN
Tax Collector

APPROVED BY:

MARY Y. CALLANAN
Treasurer

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By: Theodore R. Lakey
Deputy City Attorney

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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
July 1, 1991	July 8, 1991
Ayes: Supervisors Achtenberg Alioto Britt Hallinan Hsieh Kennedy Migden Shelley	Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward
Absent: Supervisors Gonzalez Maher Ward	Absent: Supervisors Britt

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco.

Clerk

File No.
46-91-8

JUL 1 5 1991

Date Approved

Mayor

FILE NO. 115-91-4 ORDINANCE NO. 288-91

[Service Station Conversion]

AMENDING PART II, CHAPTER II OF THE SAN FRANCISCO MUNICIPAL CODE (CITY PLANNING CODE) BY ADDING SECTIONS 228 THROUGH 228.5 THERETO RELATING TO CONVERTING PROPERTY CONTAINING A GASOLINE SERVICE STATION TO OTHER USES; AMENDING THE SAN FRANCISCO PUBLIC WORKS CODE BY DELETING ARTICLE 15.1 THEREOF RELATING TO SERVICE STATION CONVERSIONS; AND FINDING CONSISTENCY WITH THE PRIORITY POLICIES SET FORTH IN CITY PLANNING CODE SECTION 101.1.

Note: The language in Sections 228 through 228.5 is new.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Part II, Chapter II of the San Francisco Municipal Code (City Planning Code) is hereby amended by adding Sections 228 through 228.5 thereto to read as follows:

SEC. 228. FINDINGS.

(a) The recent trend toward conversion of service stations to non-service station use has resulted in the curtailment of essential services, including automobile refueling and emergency services, and is contrary to the public health, safety, peace and general welfare.

(b) To address this problem, the Board of Supervisors adopted Resolution No. 759-89 to impose interim controls on the conversion of service stations and to create a task force to study this problem and make recommendations to this Board regarding how to address this problem.

(c) In the seventeen months since Resolution 759-89, eleven more service stations have been converted to other uses. The Service Station Conversion Task Force has recommended that the Board of Supervisors adopt permanent legislation to address this problem.

(d) The Board of Supervisors recognizes that service station operators and those who own property on which such stations are located are entitled to earn a fair rate of return on their investment. Where a fair rate of return is being earned, the Board finds that service stations should be allowed to convert to other uses only where it is determined that the conversion would benefit the public.

SEC. 228.1. DEFINITIONS.

Whenever used in Sections 228.2 through 228.5 unless a different meaning clearly appears from the context:

(a) "Gasoline Service Station" shall mean an establishment that sells and dispenses gasoline and other motor fuels and lubricating fluids directly into motor vehicles and which may, in addition, provide the types of services specified in Sections 223(f) or 223(g) of this Code.

(b) "Conversion" shall mean to change the use of a property from a service station use to a different type of use.

(c) Where the property owner does not own the service station business, "Return on Investment" shall mean the before income tax total annual rent and other compensation received from the service station business for the lease of the land and buildings, less the expenses of the lessor, on a cash basis.

(d) Where the property owner also owns the service station business, "Return on Investment" shall mean the before income tax profit on the sale of all goods and services at the service station, including the sale of gasoline, less the cost of goods sold and operating costs, on a cash basis.

(e) "Total Investment in the Property" shall mean the fair

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market value of the property at the time the application is filed with the Zoning Administrator.

(f) "Demolition" shall mean physical removal of underground, and/or surface tanks used in storage and dispensing of gasoline and/or any building or canopy without the replacement of such equipment or structures to allow continued operation of the gasoline service station.

228.2. LIMITATION ON CONVERSIONS.

(a) No owner of a property used as a service station shall change the use of the property to a different type of use without first applying for and receiving either a conditional use authorization from the City Planning Commission, or a conversion determination from the Zoning Administrator. Such authorizations shall be in addition to any other permit or authorization required for a proposed service station conversion under any applicable City, State or Federal law or regulation. The procedures for service station conversion applications shall be as described in Sections 306 and 306.1 of this Code for conditional use and variance actions.

(b) Either the City Planning Commission or the Zoning Administrator shall determine at a public hearing whether an applicant is entitled to convert the gasoline service station, depending on the grounds on which the permit is sought. The City Planning Commission shall make conditional use authorization determinations based on the criteria set forth in Section 228.3. The Zoning Administrator shall make service station conversion determinations under the grounds set forth in subsection 228.4(a). An applicant may, but need not, apply to the City Planning Commission for a conditional use authorization pursuant to Section 228.3 and apply to the Zoning Administrator for a conversion

authorization pursuant to Section 228.4(a), provided that if either one approves the application at the first hearing held on it, no hearing shall be necessary before the other. The procedures for service station conversion hearings shall be as described in Sections 306 through 306.5 and 306.8 of this Code for conditional use action (City Planning Commission hearings) and variance action (Zoning Administrator hearings).

228.3. CRITERIA FOR PLANNING COMMISSION CONDITIONAL USE AUTHORIZATION.

In acting on any application for conditional use authorization for conversion, the Commission shall consider the following criteria in lieu of the criteria set forth in Section 303(c) of this Code.

The City Planning Commission shall approve the application and authorize the service station conversion if it determines from the facts presented that the reduction in availability of automotive goods and services resulting from the service station conversion would not be unduly detrimental to the public because either:

(a) Comparable automotive goods and services are available at other reasonably accessible locations; or

(b) The benefits to the public of the service station conversion would outweigh any reduction in automotive goods and services availability because the proposed new use is more necessary or desirable for the neighborhood or community than continued service station use.

(c) In making determinations under subsection (a), the City Planning Commission shall consider the following factors:

(1) The types of services offered by the gasoline service station sought to be converted and the hours and days

during which such goods and services are available;

(2) The volume of gasoline and other motor fuel sold and the number of vehicles serviced at such gasoline service station during each of the 24 months preceding the filing of the conditional use authorization application;

(3) Whether the volume of gasoline and other motor fuel sold and the number of vehicles serviced each month during the period set forth in subsection (b) has increased or decreased during the 24 month period immediately preceding the conditional use authorization;

(4) The accessibility of comparable automotive goods and services offered by other gasoline service stations and repair garages which serve the same geographic area and population segments (e.g., neighborhood residents, in-town or out-of-town commuters, tourists) as the service station sought to be converted;

(d) In making determinations under subsection (b), the Planning Commission shall consider the following factors:

(1) If the proposed use is a residential use, the total number of units to be provided and the number of those units that are affordable units;

(2) If the proposed new use is a commercial use, the types of goods and services to be offered and the availability of comparable products and services in the vicinity;

(3) The relative environmental dangers posed by the current and proposed uses, including but not limited to the quality and character of waste generated, noxious or offensive emissions, fire and explosion hazards and noise, and whether the service station conversion would facilitate the clean up of existing contamination at the property;

(4) The relative employment opportunities offered by the gasoline service station and the proposed new use;

(5) The relative amount of taxes or other revenues to be received by the City or other governmental bodies from service station use and the proposed new use;

(6) Whether the service station use and the proposed use are permitted principal uses, conditional use or nonconforming use.

228.4. CRITERIA FOR ZONING ADMINISTRATOR CONVERSION DETERMINATION.

(a) The Zoning Administrator shall approve the application and authorize the service station conversion if the Zoning Administrator determines from the facts presented that the owner of the subject property is not earning a fair return on investment. The owner shall bear the burden of proving that the owner is not earning a fair return on investment. A property owner's application under this Section shall be signed by the owner or an authorized representative of the owner and, under penalty of perjury, declared to contain true and correct information. The application shall be accompanied by:

(1) An independent appraisal of the property stating its value;

(2) A written statement from an independent Certified Public Accountant summarizing the applicant's financial records, including the property appraisal and stating the return on investment calculated pursuant to this ordinance.

(3) A certified statement from the Certified Public Accountant identifying the owner of the property and the owner

of the service station business.

(4) Such other financial information as the Zoning Administrator may reasonably determine is necessary to make the determination provided for in this Section.

(b) There shall be a rebuttable presumption that the property owner is earning a fair return on investment if the property owner has earned at least a 9% return on the property owner's total investment in the property for the 24 month period immediately preceding the filing of the conditional use application, or in the case of a service station business that ceased operations after October 12, 1989, for the 24 month period immediately preceding the date the service station ceased operations. The property owner may rebut this presumption by offering evidence demonstrating that because of special facts regarding his or her property the property owner is not earning a fair return on investment or that because of special demonstrated circumstances the applicant would not earn a fair return on investment from service station use during that 12-month period after the filing of the service station conversion application.

(c) Prior to conducting such a hearing, the Zoning Administrator shall provide public notice of the hearing prior to the date of the hearing. Such notice shall include written notice to each property owner within 300 feet in every direction from the gasoline service station as shown in the last equalized assessment poll, such notice to be mailed at least 10 days before the hearing. The applicant also shall provide posted notice in a visible location on the gasoline service site at least 20 days before the hearing.

(d) The zoning administrator shall render written determination within 60 days of the hearing.

(e) An application fee of $300 shall be imposed for persons

applying for an exemption under this provision.

(f) If necessary, the Zoning Administrator shall have the authority to consult with or retain the assistance of the staffs of the Department of Public Works, Real Estate Department, Mayor's Office of Business and Economic Development, and Office of Community Development in the review of applications for service station conversion.

SEC. 228.5. DEMOLITION AND TANK REMOVAL.

(a) No service station shall be demolished except to enable a new service station to be constructed on the property, unless:

(1) The property owner has first obtained a conditional use authorization from the Planning Commission pursuant to Section 228.3 or a conversion determination from the Zoning Administrator pursuant to Section 228.4; or

(2) The Bureau of Building Inspection and the Bureau of Fire Prevention and Public Safety determines that the building is unsafe or dangerous and that demolition is the only feasible means to secure the public safety.

(b) Not withstanding subsections (a)(1) and (a)(2) above, if a service station is owned by a lessee of the property and the property lease was signed prior to the effective date of this ordinance, which lease permits or requires the lessee to remove the service station from the property before or after the expiration or termination of the lease, and the lease has expired or terminated or will do so within 60 days, the lessee may cease operation of the service station as permitted or required in the lease. Nothing in this provision, however, shall relieve the property owner from continued use of property as a gasoline service station as defined

by Section 228.1(f) or the requirements of subsection (a)(1) above.

(c) This ordinance shall not limit the removal of any underground storage tank at a service station where removal of the tank is required to comply with any other local, state or federal law or regulation or where the Director of Public Health or a state or federal regulatory agency with jurisdiction over underground storage tanks determines that the tank poses, or removal of the tank is necessary to mitigate, a threat to public health or safety, including but not limited to waters of the state. All appropriate permits (other than the authorizations required by this ordinance for conversions) shall be obtained prior to such authorized tank removals. The removal of an underground tank pursuant to this Section does not otherwise exempt a property owner from the requirement of obtaining conditional use authorization to convert a gasoline service station.

Section 2. This Board of Supervisors finds that this legislation is consistent with the eight priority policies contained in City Planning Code Section 101.1 and hereby adopts City Planning Commission Resolution No. 13101 approving findings related to these priority policies of said Section 101.1 of the City Planning Code.

Section 3. The Board of Supervisors shall review this Ordinance and its effects one year after its effective date.

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Section 4. Article 15.1 of the San Francisco Public Works Code is hereby repealed.

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

By: C Melbourne Joe
Deputy City Attorney

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
July 8, 1991	July 15, 1991
Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Maher Migden Shelley Ward	Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Hsieh Maher Migden Shelley
Absent: Supervisors Kennedy	Absent: Supervisors Britt Kennedy Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
115-91-4

JUL 22 1991
Date Approved

Mayor

FILE NO. 45-91-37 ORDINANCE NO. 289-91

RO #91020

[SETTLEMENT OF LAWSUIT]

AUTHORIZATION SETTLEMENT OF LITIGATION OF MC GUIRE & HESTER AGAINST THE CITY AND COUNTY OF SAN FRANCISCO FOR THIRTY THOUSAND & 00/100 DOLLARS ($30,000.00).

Be it ordained by the People of the City and County of San Francisco:

Section I. The City Attorney is hereby authorized to settle the action entitled "MC GUIRE & HESTER V. CITY AND COUNTY OF SAN FRANCISCO, et al.," United States District Court No. C89-4276, by payment of THIRTY THOUSAND & 00/100 DOLLARS ($30,000.00).

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

MARA E. ROSALES
Deputy City Attorney

RECOMMENDED:

DEPARTMENT OF PUBLIC WORKS

RICHARD J. EVANS, Director

FUNDS AVAILABLE:

EDWARD HARRINGTON, Controller

01 001 97 09 90
309674 1450 $30,000.00

JUN 18 1991

APPROVED:

Chief Administrative Officer

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
July 15, 1991	July 22, 1991
Ayes: Supervisors Achtenberg Gonzalez Hallinan Hsieh Maher Migden Shelley	Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Migden Shelley Ward
Absent: Supervisors Alioto Britt Kennedy Ward	Absent: Supervisors Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 45-91-37

JUL 25 1991
Date Approved

Mayor

DOCUMENTS DEPT.

JUL 31 1991

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7/10/91 - As amended in Committee.

FILE NO. 101-90-47

ORDINANCE NO. 290-91
RO 91057 SA #3

(GOVERNMENT FUNDING)

APPROPRIATING $26,924,000 FOR CAPITAL IMPROVEMENT PROJECT (LAKE MERCED TRANSPORT PLAN), CLEANWATER PROGRAM FOR FISCAL YEAR 1991-92.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1991-92 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
35-555	State Revolving Loan Fund		
Project 103-00	Lake Merced Transport Plan		
55-5503 (053538)	Proceeds from Long Term Obligation	$21,372,668	
20-2030 (544064)	Capital Improvement Project		$21,372,668
35-896	1988 Sewer Revenue Bond Fund		
Project 896-00	Lake Merced Transport Plan		
G.L. 495 (008755)	Year End Surplus	$ 5,551,332	
20-2030 (770602)	Capital Improvement Project		$ 5,551,332
	Total	$26,924,000	$26,924,000

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

CONTROLLER

ac(1155ADM22)

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
July 15, 1991	July 22, 1991
Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Hsieh Maher Migden Shelley	Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Migden Shelley Ward
Absent: Supervisors Britt Kennedy Ward	Absent: Supervisors Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 101-90-47

JUL 29 1991
Date Approved

Mayor

DOCUMENTS DEPT.

AUG 12 1991

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FILE NO. 27-91-4 ORDINANCE NO. 291-91

(Airport Lease)

APPROVING THE "REAPPRAISAL OF PLOT 22 AND PIER 3 BULK FUEL STORAGE AND WHARF AREA LEASE" BETWEEN SHELL OIL COMPANY AND THE CITY AND COUNTY OF SAN FRANCISCO, ACTING BY AND THROUGH ITS AIRPORTS COMMISSION.

Be it ordained by the People of the City and County of San Francisco:

SECTION 1: Pursuant to Section 7.402-1 of the Charter, the Board of Supervisors hereby approves the "Reappraisal of Plot 22 And Pier 3 Bulk Fuel Storage and Wharf Area Lease" between Shell Oil Company and the City and County of San Francisco, acting by and through its Airports Commission. The Approval of the Reappraisal of Plot 22 And Pier 3 Bulk Fuel Storage and Wharf Area Lease was approved by Airports Commission Resolution No. 91-0103, adopted June 4, 1991.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By _____
Deputy City Attorney

0206M

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
July 15, 1991	July 22, 1991
Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Hsieh Maher Migden Shelley	Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Migden Shelley Ward
Absent: Supervisors Britt Kennedy Ward	Absent: Supervisors Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 27-91-4

JUL 29 1991
Date Approved

Mayor

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AUG 12 1991

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As amended in committee
7/9/91

FILE NO. 39-91-6.1 ORDINANCE NO. 292-91

ZONING MAP CHANGE 89.372EE

ADOPTING CHANGES IN PROPERTY USE CLASSIFICATION AS AN AMENDMENT TO THE ZONING MAP OF THE CITY AND COUNTY OF SAN FRANCISCO OF PROPERTY LOCATED AT 5199 MISSION STREET, LOTS 57 AND 58, ASSESSOR'S BLOCK 6463 FROM A NC-2 (SMALL SCALE) NEIGHBORHOOD COMMERCIAL DISTRICT TO A NC-3 (MODERATE SCALE) NEIGHBORHOOD COMMERCIAL DISTRICT; and adopting findings pursuant to Section 101.1 of the Planning Code.

kg
7/5/91

Be it ordained by the People of the City and County of San Francisco:

Section 1. Pursuant to resolution of the Board of Supervisors, adopting the final negative declaration as its own, and pursuant to Section 302(c) of the Planning Code, Part II, Chapter II of the San Francisco Municipal Code, the following change in property use classification, duly approved by resolution of the City Planning Commission is hereby adopted as an amendment to the Zoning Map of the City and County of San Francisco.

Section 2. Pursuant to Section 101.1 of the Code, this Board of Supervisors adopts City Planning Commission Resolution No. 13033 approving findings related to the Eight Priority Policies of Section 101.1 of the Planning Code.

Description of Property	Use District to be Superseded	Use District Hereby Approved
Parcel I: Lot 58, Block 6463	NC-2	NC-3

BEGINNING at a point on the southeasterly line of Mission Street, distant thereon 75 feet northeasterly from the easterly line of Pope Street; and running thence southeasterly at a right angle to the said line of Mission Street 100 feet; thence at a right angle northeasterly 36.99 feet, more or less, to the southwesterly line of Rolph Street; thence northwesterly along said line of Rolph Street 100.05 feet to the southeasterly line of Mission Street; thence southwesterly along said line of Mission Street 33.88 feet to the point of beginning.

BEING a portion of Lots 2, 3 and 4 as per map of WEST END ADDITION recorded December 4, 1862, in the Office of Recorder of the City and County of San Francisco, State of California.

Parcel II: Lot 57, Block 6463

BEGINNING at a point of intersection of the southeasterly line of Mission Street and the easterly line of Pope Street; and running thence northeasterly along the southeasterly line of Mission Street, 75 feet; thence at a right angle southeasterly 100 feet; thence at a right angle southwesterly 75 feet; thence south 51° 13' west 68 feet and 5 inches to a point in the easterly line of Pope Street, distant thereon 100 feet southerly from the southeasterly line of Mission Street; thence northerly along said line of Pope Street 100 feet to the point of beginning.

BEING a portion of WEST END ADDITION, part of BERNAL RANCH, as per map thereof, recorded December 4, 1862, in Book 1, Pages 115 and 116 of Maps, in the Office of the Recorder of the City and County of San Francisco, State of California

APPROVED AS TO FORM:
LOUISE RENNE, CITY ATTORNEY
By Judith A. Byrgin
Deputy City Attorney

RECOMMENDED:
CITY PLANNING COMMISSION
By Dean L. Macris
Dean L. Macris
Director of Planning

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AUG 1 2 1991
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Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
	§	
July 15, 1991	§	July 22, 1991
	§	
	§	
Ayes: Supervisors Achtenberg Alioto	§	Ayes: Supervisors Achtenberg Alioto
Britt Gonzalez Hallinan Hsieh	§	Britt Gonzalez Hallinan Hsieh
Maher Migden Shelley	§	Kennedy Migden Shelley Ward
	§	
Absent: Supervisors Kennedy Ward	§	Absent: Supervisors Maher

I hereby certify that the foregoing ordinance
was finally passed by the Board of Supervisors
of the City and County of San Francisco

Clerk

File No.
36-91-6.1

JUL 29 1991
Date Approved

Mayor

FILE NO. 45-91-36

ORDINANCE NO. 295-91

RO #91017

(SETTLEMENT OF LAWSUIT)

AUTHORIZING SETTLEMENT OF LITIGATION OF BARBARA ANGELI AGAINST THE CITY AND COUNTY OF SAN FRANCISCO for $25,000.

Be it ordained by the People of the City and County of San Francisco:

Section I. The City Attorney is hereby authorized to settle the action entitled "BARBARA ANGELI v. CITY AND COUNTY OF SAN FRANCISCO, et al., "Superior Court No. 891-115, by the payment of $25,000.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

KIMBERLY A. REILEY
Chief Trial Deputy

RECOMMENDED:

RICHARD J. EVANS
Director, Department of Public Works

FUNDS AVAILABLE:

EDWARD M. HARRINGTON
Controller

01 001 97 09 90
309674 1450 $25,000.00

JUN 18 1991

APPROVED:

RUDOLF NOTHENBERG
Chief Administrative Officer

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
July 15, 1991	July 22, 1991
Ayes: Supervisors Achtenberg Gonzalez Hallinan Hsieh Maher Migden Shelley	Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Migden Shelley Ward
Absent: Supervisors Alioto Britt Kennedy Ward	Absent: Supervisors Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 45-91-36

JUL 29 1991
Date Approved

Mayor

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FILE NO. 45-91-38

ORDINANCE NO. 294-91

RO #91021

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF KATHY KING AGAINST DAVID MARSH, ET AL. for $25,000.

Be it ordained by the People of the City and County of San Francisco:

Section I. The City Attorney is hereby authorized to settle the action entitled "KATHY KING V. DAVID MARSH, et al.," San Francisco Superior Court No. 912-273, by the payment of $25,000.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

KIMBERLY A. REILEY
Chief Trial Deputy

RECOMMENDED:

The Department of Public Health

RAYMOND BAXTER
Director
Department of Public Health

APPROVED:

HEALTH COMMISSION

Secretary

FUNDS AVAILABLE:

EDWARD M. HARRINGTON
Controller

0080g 01 001 97 09 83
309658 1450 $25,000.00

JUN 25 1991

5/15/91

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
July 15, 1991	July 22, 1991
Ayes: Supervisors Achtenberg Gonzalez Hallinan Hsieh Maher Migden Shelley	Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Migden Shelley Ward
Absent: Supervisors Alioto Britt Kennedy Ward	Absent: Supervisors Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 45-91-38

JUL 29 1991
Date Approved

Mayor

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7/10/91 - As amended in Committee.

FILE NO. 65-91-5

ORDINANCE NO. 295-91

(Lease Modification)

CONFIRMING A THIRD SUPPLEMENTAL AGREEMENT IN MODIFICATION OF LEASE BETWEEN THE CITY AND COUNTY OF SAN FRANCISCO AND GARDEN CHAPEL, INC., A CALIFORNIA CORPORATION, LESSEE FOR OPERATING A FUNERAL HOME WITH PARKING AND LANDSCAPING, RETROACTIVE TO SEPTEMBER 1, 1990.

7/10/91
jlb

Be it ordained by the People of the City and County of San Francisco:

Section 1. Pursuant to Section 7.402-1 of the Charter, the Third Supplemental Agreement in Modification of Lease to Garden Chapel, Inc., having been approved pursuant to Public Utilities Commission Resolution No. 92-0186, adopted on May 14, 1991, of that certain lease entered into by and between City as Lessor and Amos F. Larson as Lessee on May 10, 1960, and modified May 2, 1961 which was later assigned, with City's consent, on August 22, 1961 to Larson Garden Chapel, a limited partnership, who then assigned said lease to Wells Fargo Bank American Trust Company on December 18, 1961 as security for a building construction loan, and later assigned on January 12, 1970, with City's consent, under supervision of Bankruptcy Court Proceedings Nos. 118654 and 119215 to Garden Chapel, Inc., a California corporation, for the balance of the term, subject to the modified terms and conditions, is hereby confirmed, retroactive to September 1, 1990.

7/10/91
jlb

APPROVED AS TO FORM:

LOUISE RENNE, City Attorney

BY George Quezada
Deputy City Attorney

PUC RESOLUTION

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
July 15, 1991	July 22, 1991
Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Hsieh Maher Migden Shelley	Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Migden Shelley Ward
Absent: Supervisors Britt Kennedy Ward	Absent: Supervisors Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
65-91-5

JUL 29 1991
Date Approved

Mayor

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FILE NO. 97-91-39 ORDINANCE NO. 296-91

[Conflict of Interest Code]

AMENDING THE SAN FRANCISCO ADMINISTRATIVE BY ADDING SECTION 58.207 THERETO TO ADD THE FILM AND VIDEO ARTS COMMISSION OF THE CITY AND COUNTY OF SAN FRANCISCO TO THE AGENCIES WITH DISCLOSURE RESPONSIBILITIES UNDER THE CONFLICT OF INTEREST CODE OF THE CITY AND COUNTY OF SAN FRANCISCO.

Note: This section is entirely new.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The San Francisco Administrative Code is hereby amended by adding Section 58.207 thereto to read as follows:

Section 58.207 Film and Video Arts Commission

Disclosure Category 2: Persons in this category shall disclose all investments and business positions in, and income from, any film company that does business in the City and County within two years of the period covered by any statement of economic interest, or may forseeably do business in the City and County. The term "Film company" shall have the meaning ascribed to it by Section 57.1 of the Administrative Code of the City and County of San Francisco.

Designated Position	Disclosure Category
Commissioner	2
Executive Director	1

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

By: Deputy City Attorney

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
July 15, 1991	§	July 22, 1991
Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Maher Migden Shelley	§	Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Migden Shelley Ward
Absent: Supervisors Kennedy Ward	§	Absent: Supervisors Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 97-91-39

JUL 29 1991
Date Approved

Mayor

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Finance

7/10/91 - As amended in Committee.

FILE NO. 101-90-129

ORDINANCE NO. 297-91

RO #90307 SA #193

(GOVERNMENT FUNDING)

APPROPRIATING $1,047,771 FOR CAPITAL IMPROVEMENT PROJECT (SLUDGE MANAGEMENT PLAN), CLEANWATER PROGRAM FOR FISCAL YEAR ~~1990-91~~ 1991-92; PLACING $575,000 ON RESERVE.

7/10/91 jlb

7/10/91 jlb

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1989-90 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
35-896	1988 Sewer Revenue Bond Fund		
90-05-00	Cleanwater Program		
Project 896-00	Sewer Revenue Bond - General		
G.L. 495 (008755)	Committment from Fund Balance	1,047,771	
20-2030 (770602)	Capital Improvement Project		$1,047,771

Section 2. Funds in the amount of $575,000 for consultants are hereby placed on reserve pending selection of consultants, determination of hourly rates, number of hours, and MBE/WBE status, to be released by the Finance Committee.

7/10/91 jlb

APPROVED AS TO FORM
LOUISE H. RENNE, CITY ATTORNEY

BY: _____
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

Edward Harrington
CONTROLLER

430-WPPSPGEN

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
July 15, 1991	July 22, 1991
Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Hsieh Maher Migden Shelley	Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Migden Shelley Ward
Absent: Supervisors Britt Kennedy Ward	Absent: Supervisors Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 101-90-129

JUL 29 1991
Date Approved

Mayor

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7/10/91 - As amended in Committee.

FILE NO. 117-91-1 ORDINANCE NO. 298-91

[Plan Review Fee Schedule]

AMENDING PART II, CHAPTER IV OF THE SAN FRANCISCO MUNICIPAL CODE (FIRE CODE) BY AMENDING SECTION 4.208 THEREOF, INCREASING THE PROPERTY INSPECTION FEE FOR FIRE DEPARTMENT REVIEW OF PLANS SUBMITTED WITH BUILDING PERMIT APPLICATIONS.

Note: Additions or substitutions are underlined; deletions are in ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. Part II, Chapter IV of the San Francisco Municipal Code (Fire Code) is hereby amended by amending Section 4.208 thereof, to read as follows:

Section 4.208. Plan Review Fee Schedule.

Upon application for a permit for the erection of a new building or for alteration work for which plans are required by the Bureau of Building Inspection, the Central Permit Bureau shall charge and collect a fee to compensate the Fire Department for its costs to review plans submitted with building permit applications for compliance with fire safety regulations. The fee shall be based on the valuation of the work as determined by the Bureau of Building Inspection. The plan review fee shall be as follows:

VALUATION		FEE
Over	Not more than	
$0	$1,000	((($24.00)) $25.00
$1,000	$5,000	((($24.00)) $25.00 plus ((($5.25)) $7.50 per $1,000 over $1,000
$5,000	$10,000	((($45.00)) $55.00 plus ((($2.80)) $5.00 per $1,000 over $5,000
$10,000	$50,000	((($59.00)) $80.00 plus ((($1.275)) $2.50 per $1,000 over $10,000
$50,000	$100,000	((($110.00)) $180.00 plus ((($0.70)) $1.60 per $1,000 over $50,000
$100,000	$500,000	((($145.00)) $260.00 plus ((($0.325)) $0.70 per $1,000 over $100,000
$500,000	$2,500,000	((($275.00)) $540.00 plus ((($0.12)) $0.38 per $1,000 over $500,000
$2,500,000	$5,000,000	((($515.00)) $1,300 plus ((($0.064)) $0.24 per $1,000 over $2,500,000
$5,000.000	$15,000,000	((($675.00)) $1,900 plus ((($0.0375)) $0.15 per $1,000 over $5,000,000
$15,000,000	$30,000,000	((($1,050.00)) $3,400 plus ((($0.22)) $0.09 per $1,000 over $15,000,000
$30,000,000	$50,000,000	((($1,380.00)) $4,750 plus ((($0.015)) $0.0675 per $1,000 over $30,000,000
$50,000,000	$100,000,000	((($1,680.00)) $6,100 plus ((($0.0104)) $0.05 per $1,000 over $50,000,000
$100,000,000	--	((($2,200.00)) $8,600 plus ((($0.005)) $0.03 per $1,000 over $100,000,000

When the Fire Department determines a field inspection is also required to certify that building plans and construction are in compliance with fire safety regulations, it shall calculate an additional fee to compensate for the additional costs to conduct such inspection(s). The Central Permit Bureau shall collect the inspection fee due, as calculated by the Fire Department, prior to the issuance of a building permit. The Fire Department shall document its time conducting field inspections for construction projects valued over $500,000. The Fire Department shall charge an hourly rate of ((($60.00)) $62.50 for field inspection time which exceeds (3) three hours for such building projects. The Fire

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Department shall collect the balance of the total inspection fee due from the permittee, which has not been paid to the Central Permit Bureau, prior to the issuance of the certificate of final completion and occupancy to the property owner. The Fire Department shall reimburse the Bureau of Building Inspection Special Fund for the costs incurred by the Bureau of Building Inspection in collecting such fees.

The field inspection fee shall be as follows:

VALUATION		
Over	Not More Than	
0	$50,000	(($60.00)) $62.50
$50,000	$500,000	(($120.00)) $125.00
$500,000		(($180.00)) $187.50

All plan review and field inspection fees charged by the Fire Department pursuant to these provisions shall be excluded from provisions of Administrative Code Section 10.117-78 regulating the deposit of plan review fees.

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

By: _____
Deputy City Attorney

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
July 15, 1991	July 22, 1991
Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Hsieh Maher Migden Shelley	Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Migden Shelley Ward
Absent: Supervisors Britt Kennedy Ward	Absent: Supervisors Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

_____
Clerk

File No.
117-91-1

JUL 29 1991
Date Approved

_____
Mayor

DOCUMENTS DEPT.

AUG 12 1991

SAN FRANCISCO
PUBLIC LIBRARY

FILE NO. 118-91-4 ORDINANCE NO. 299-91

AMENDING PART II, CHAPTER V, SAN FRANCISCO MUNICIPAL CODE (HEALTH CODE) BY ADDING SECTIONS 609 THROUGH 609.3 AUTHORIZING REINSPECTION FEES FOR STATE AND LOCAL HEALTH CODE VIOLATIONS AND LIEN PROCEDURES FOR NON-PAYMENT OF THE FEES

NOTE: All of the sections are new.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Article II, Chapter V, Part II of the San Francisco Municipal Code (Health Code) is hereby amended by adding Sections 609 through 609.3 thereto, to read as follows:

SEC. 609. Reinspection Fee Authorized. If an inspection by a representative of the Department of Public Health discloses a violation of any provision of this Code or of any State law for which the Department is responsible for enforcement, the Department shall determine a period of time that is reasonable to correct the violation and shall thereafter reinspect the property to verify such correction. The Department shall collect a fee from the legal owner of the property in the amount of $60.00 to compensate the Department for its costs in performing the reinspection. Reinspections which require more than one hour to complete shall be subject to an additional fee at the rate of $15.00 for each quarter-hour or part thereof beyond the first sixty minutes. If more than one reinspection is necessary to secure correction of the violation, the Department shall collect a fee in the amount set forth herein for each reinspection.

SEC. 609.1 Notice Upon Non-Payment. The Department shall send a written notice to the legal owner of the property requesting payment of the reinspection fees levied pursuant to Section 609. The notice shall request that the fees be paid within 30 days of the date of notice and shall warn the owner of possible penalties and interest fees if payment is not made within that time. If payment is not received, the Department shall send a second request stating that the legal owner is liable for payment of the cost indicated on the notice and that if the Department does not receive payment within 30 days of the date of the second request, a penalty of $40.00 or 10% of the amount due, whichever is greater, plus interest at the rate of 1-1/2% per month on the outstanding balance, shall be added to the amount otherwise due.

Interest fees, if imposed, shall accrue beginning on the date of the second notice. The second request shall also notify the owner of the property that the City is authorized by the provisions of this section to enforce payment of reinspection fees and penalty and interest payments by the imposition of a lien on the property.

SEC. 609.2. Hearing Upon Non-Payment. If the Department does not receive payment of the amount due within 30 days of the date of the second request for payment, the Department shall conduct a hearing to consider any protests or objections to the imposition of the fees authorized by Section 609. The Department shall fix a time, date and place for the hearing and shall mail notice of the hearing to each owner of the property not less than ten days prior to the date of the hearing. The notice shall state the name of each legal owner of the property, the amount due, and a description of each parcel of property which is the subject of the reinspection fee. The descriptions of parcels shall be those used for the same parcels on the Assessor's map books for the current year. Following the hearing, the Director of Public Health or a designee shall determine whether the reinspection costs and any penalty and interest payments imposed pursuant to Section 609 should be affirmed, modified or vacated. The Director shall send written notice of the decision to the owner of the property. The notice shall state that the owner has 10 days in which to pay any amount determined due and that failure to pay within the time set forth will result in the imposition of a lien upon the property. The Director of Health may adopt rules and regulations regarding the hearing procedure and other matters relating to imposition and collection of reinspection fees, including penalty and interest payments.

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SEC. 609.3. Lien Procedures Initiated Upon Non-Payment. If the property owner fails to pay any amount determined due following a hearing within the time required by Section 609.2, the Director of Public Health or a designee shall initiate a special assessment lien proceeding pursuant to the provisions of Article XX, Chapter 10 (beginning with Section 10.230) of the San Francisco Administrative Code, by reporting the delinquency to the Board of Supervisors. The entire unpaid balance of the costs, including any penalty and interest payments on the unpaid balance to the date that the Department reports to the Board shall be made a special assessment lien against the property. The Department shall report charges against delinquent accounts to the Board of Supervisors at least once each year. The Director shall also indicate which of such delinquent accounts should be exempted from the lien procedure because the lien procedure is inappropriate.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By Mark Farmore
Deputy City Attorney

RECOMMENDED:

Raymond Baxter
Director of Health

APPROVED:

Sandy Ouye Moi
Health Commission

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
July 15, 1991	July 22, 1991
Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Maher Migden Shelley	Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Migden Shelley Ward
Absent: Supervisors Kennedy Ward	Absent: Supervisors Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
118-91-4

JUL 29 1991
Date Approved

Mayor

As amended in Board 7/22/91

FILE NO. 124-91-4 ORDINANCE NO. 300-91

(Residential Parking Permit Fees)

7/22/91 AMENDING PART II, CHAPTER XI OF THE SAN FRANCISCO MUNICIPAL CODE (TRAFFIC CODE), BY AMENDING SECTION 202.C TO INCREASE FROM $100 PER YEAR (OR $75 IF PURCHASED IN THE LAST SIX MONTHS OF ANY YEAR) TO $225 PER YEAR (OR $175 IF PURCHASED IN THE LAST SIX MONTHS OF ANY YEAR) THE FEE FOR ISSUANCE OF ANNUAL NONTRANSFERABLE PARKING PERMITS FOR CONTRACTORS; BY AMENDING SECTION 308.3 TO TRANSFER FROM THE TAX COLLECTOR TO THE DIRECTOR OF PARKING AND TRAFFIC THE AUTHORITY TO ISSUE EDUCATIONAL INSTITUTION PARKING PERMITS AND TO INCREASE THE FEE FOR ISSUANCE OF SAID PERMITS FROM $13 to $21; BY AMENDING SECTION 314 TO INCREASE THE ANNUAL FEE FOR ISSUANCE AND RENEWAL OF RESIDENTIAL PARKING PERMITS FROM $13 to $21 AND THE SIX MONTH FEE FROM $6.50 to $10.50 FOR PERMIT RENEWALS AND FROM $16 to $21 FOR PERMITS IN A NEW AREA AND THE SIX MONTH FEE IN THE NEW AREA FROM $8 to $10.50; TO INCREASE THE FEE FOR VISITOR'S PERMITS FROM $2 to $5 PER TWO WEEK PERIOD, TO INCREASE FROM $1 to $5 THE FEE FOR A RENTAL CAR PERMIT, TO INCREASE FROM $1 to $3 THE TRANSFER CHARGE AND TO INCREASE THE AMOUNT FROM SPECIFIED PERMIT FEES THAT IS TO BE DEPOSITED TO THE ROAD FUND.

ejp

Note: Additions or substitutions are <u>underlined</u>; deletions are in ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. Section 202.C of Article 12, Part II, Chapter XI of the San Francisco Municipal Code (Traffic Code) is hereby amended to read as follows:

SEC. 202.C. USE OF PARKING METER ZONES BY CONSTRUCTION VEHICLES.

(i) Upon written application, the Director of Parking and Traffic shall issue to a contractor annual nontransferable parking permits for display upon motor vehicles used in the course of construction service and construction jobbing work within a parking meter zone. <u>Such permits shall be issued for a period of twelve consecutive months that begin, in any calendar year, on June 1.</u> Such parking permits shall be in a form and have an appearance

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distinct from those parking permits issued for residential permit parking areas.

No permit as provided for herein shall be issued unless the written application includes the number and type of the applicant's State contractor's license, the year, make and license number of each motor vehicle for which a permit is requested and such other information as the Director of Parking and Traffic deems appropriate to carry out the duties imposed by this Section.

(ii) The term "motor vehicle" as used in this Section means a truck or van used primarily to transport equipment, personnel or materials necessary to the construction project, bearing a commercial license plate registered to the licensed contractor and upon which is displayed in a permanent fashion the name of the licensed contractor as set forth in the Fictitious Business Name Statement on file in the Office of the County Clerk.

(iii) The Director of Parking and Traffic is authorized to issue no more than eight such parking permits per licensed contractor, except that a) up to five additional permits may be issued, at the sole discretion of the Director of Parking and Traffic to any contractor who is not eligible to apply for exclusive temporary use of parking meter zones under Section 202.E of this code; and b) one parking permit may be issued to a licensed contractor who has only one vehicle which is a station wagon and which meets all other criteria of this Section. A station wagon qualifies as a motor vehicle, as defined herein, for this one permit only.

(iv) A motor vehicle displaying a parking permit issued as provided herein may be parked in a parking meter zone without the deposit of any coins in the applicable meter. Such a motor vehicle is not exempt from parking restrictions or prohibitions established pursuant to authority other than this Article.

AUG 19 1991

(v) The fee for the issuance of each parking permit provided for in this Section shall be (($100)) $255 if purchased in the first six months of the permit year and (($75.00)) $175 if purchased in the last six months of the permit year.

(vi) Consistent herewith, the Department of Parking and Traffic is authorized to adopt procedures to prevent abuse of the parking permits issued under this Subsection. Such procedures shall include, but not be limited to providing for verification of an applicant's qualifications for a parking permit under this Subsection.

Section 2. Section 308.3 of Article 15, Part II, Chapter XI of the San Francisco Municipal Code (Traffic Code) is hereby amended to read as follows:

SEC. 308.3. EDUCATIONAL INSTITUTION PERMITS. (a) Upon written request, the ((Tax Collector)) Director of Parking and Traffic shall issue to the principal or chief administrator of an educational institution located within a residential permit parking area transferable daytime parking permits for the use of persons employed as teachers at such institution who operate commuter vehicles, which permits would be valid for parking between the hours of 8:00 a.m. to 3:00 p.m.

(b) The ((Tax Collector)) Director of Parking and Traffic is authorized to issue 10 annual parking permits per institution, or the number of parking permits that equals the number of on-street unrestricted parking spaces available between an extension of each property line of said institution to the middle of the public streets or highways upon which the institution directly abuts, as determined by survey of the Department of Public Works, whichever is the lesser number, but in no event less than three permits.

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(c) Each parking permit issued by the ((Tax Collector)) Director of Parking and Traffic pursuant to this Section shall be valid for one year from the date established by the ((Tax Collector)) Director of Parking and Traffic. Permits may be repurchased annually upon reapplication by the principal or chief administrator of the educational institution in the manner required by the ((Tax Collector)) Director of Parking and Traffic. In dispensing of the permits for a particular educational institution, the principal or chief administrator thereof shall give consideration to those teachers who are participating in a carpool or other method of transportation. The fee for issuance of each permit provided for in this Section shall be (($13)) $21, regardless of the date of purchase or repurchase.

(d) The term "educational institution" shall mean any school or other place of learning providing a pre-school, elementary or secondary level of study, and which regularly employs a staff of at least 15 certificated employees or persons regularly employed as classroom teachers.

Section 3. Section 314 of Article 15, Part II, Chapter XI of the San Francisco Municipal Code (Traffic Code) is hereby amended to read as follows:

SEC. 314. PERMIT FEES. (a) A "new area" shall be defined as any residential parking permit area not approved by the Board of Supervisors prior to the approval of this ordinance.

(b) A "continuing area" shall be defined as any residential parking permit area already approved by the Board of Supervisors prior to the approval of this ordinance.

(c) For the purposes of this Section, an extension of a continuing area shall be treated as a new area.

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(d) The initial fee for the issuance of a permit for a new area shall be ((~~$16~~)) $21 for each permit if purchased in the first six months of the permit year or ((~~$8~~)) $10.50 if purchased in the last six months of the permit year. The fee for issuance of a permit purchased in the first six months of all subsequent permit years shall be ((~~$13~~)) $21 or ((~~$6.50~~)) $10.50 if purchased in the last six months of the permit year.

(e) The fee for the issuance of a permit for continuing area shall be ((~~$13~~)) $21 for each permit if purchased in the first six months of the permit year or ((~~$6.50~~)) $10.50 if purchased in the last six months of the permit year.

(f) The fee for a rental car permit shall be ((~~$1~~)) $5. The fee for a visitor's permit, which may be issued for a maximum period of eight weeks, shall be ((~~$2~~)) $5 for each consecutive two week period. There shall be a ((~~$1~~)) ~~$5~~ $3 transfer charge for those applicants with permits in one residential parking area who move to another residential parking permit area and apply for a permit in the new area of residence. In such cases the new permit shall expire at the time designated for the new zone.

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(g) The annual fee for commercial permits as provided in Section 308(b)(3) shall be $28 for each permit if purchased during the first six months of the permit year and $16.50 if purchased during the last six months of the permit year.

(h) ((Three dollars ($3))) Four dollars ($4) of the fee for each permit purchased in the first six months of the permit year and ((~~$1.50~~)) $2 of the fee for each permit purchased in the last six months of the permit year, for those permits issued under Subsections (d), (e) and (g) of this Section shall be deposited in the Road Fund. All deposits to the Road Fund from the residential

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parking permit fee shall be used to offset the costs related to the engineering studies, sign installations and sign maintenance associated with the Residential Permit Parking Program.

APPROVED AS TO FORM:
LOUISE H. RENNE, City Attorney
By Julian E. Huttgren
Deputy City Attorney

RECOMMENDED:
Rina Cutler
Director of Parking and Traffic

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DOCUMENTS DEPT
AUG 1 9 1991
FORM 3

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
	§	
July 22, 1991	§	July 29, 1991
	§	
	§	
Ayes: Supervisors Achtenberg Alioto	§	Ayes: Supervisors Achtenberg Alioto
Britt Gonzalez Hallinan Hsieh	§	Britt Gonzalez Hallinan Hsieh
Kennedy Shelley Ward	§	Kennedy Maher Shelley Ward
	§	
Noes: Supervisors Maher Migden	§	Noes: Supervisors Migden

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
124-91-4

JUL 31 1991
Date Approved

Mayor

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